

AGENDA

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, MAY 22, 2007
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

ROLL CALL: *Shier-Burnett, Speaker, Livengood, Scandura, Horgan, Dwyer, Farley*

AGENDA APPROVAL

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. **ENTITLEMENT PLAN AMENDMENT NO. 07-001 (PIERSIDE PAVILION MODIFICATION TO MIX OF USES)** – Rami Talleh

B. STUDY SESSION ITEMS

B-1. **PLANNING COMMISSION GOALS 2007 UPDATE** – Chair Scandura

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) – Herb Fauland

D. PLANNING COMMISSION COMMITTEE REPORTS

D-1. **GREEN BUILDING SUBCOMMITTEE REPORT FOLLOW-UP** – Chair Scandura

E. PUBLIC COMMENTS – Regarding Project Review or Study Session portions of Meeting

Anyone wishing to speak on Project Review or Study Session items during PUBLIC COMMENTS may do so by filling out a Request To Speak form and giving it to the Secretary. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

F. PLANNING COMMISSION COMMENTS

6:30 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL: *Shier-Burnett, Speaker, Livengood, Scandura, Horgan, Dwyer, Farley*

AGENDA APPROVAL

A. ORAL COMMUNICATIONS

Anyone wishing to speak during ORAL COMMUNICATIONS must fill out and submit a form to speak. The Planning Commission can take no action on this date, unless the item is agendaized. Any one wishing to speak on items not on tonight's agenda, a closed public hearing item, or on non-public hearing items may do so during ORAL COMMUNICATIONS. Please note comments on closed public hearing items will not be part of the permanent entitlement record. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

B. PUBLIC HEARING ITEMS

Anyone wishing to speak during an open PUBLIC HEARING must fill out and submit a form to speak. The public may address the Planning Commission only during the open PUBLIC HEARING items or during ORAL COMMUNICATIONS. Please review the agenda to determine whether the PUBLIC HEARING item is open or closed. If the PUBLIC HEARING on an item is closed, you will not be permitted to speak during that portion of the agenda and may wish to address your concerns during the ORAL COMMUNICATIONS portion of the agenda. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, WITH A MAXIMUM TIME DONATION OF 8 MINUTES, FOR A TOTAL OF 12 MINUTES PER SPEAKER)

PROCEDURE: Commission Disclosure Statement(s), Staff Report Presentation, Commission Questions, Public Hearing, Discussion/Action.

B-1. VARIANCE NO. 07-002 (PERKINS RESIDENCE): **Applicant:** Gary C. Maxwell
Request: To permit construction of a 350 sq. ft. addition to a single-family residence with a 5'-0" street side setback, in lieu of the code required 10'-0" minimum setback. **Location:** 20091 Crown Reef Lane
Project Planner: Ron Santos

STAFF RECOMMENDATION: Motion to: "Deny Variance No. 07-002 with suggested findings for denial."

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED APRIL 10, 2007

RECOMMENDED ACTION: Motion to: "Approve the April 10, 2007, Planning Commission Minutes as submitted."

D. NON-PUBLIC HEARING ITEMS - NONE

E. PLANNING ITEMS

- E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING**
- E-2. CITY COUNCIL ITEMS FOR NEXT MEETING**
- E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING**

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

Commissioner Shier-Burnett -

Commissioner Speaker -

Vice Chairperson Livengood -

Chairperson Scandura -

Commissioner Horgan –

Commissioner Dwyer –

Commissioner Farley -

ADJOURNMENT:

Adjourn to the next regularly scheduled meeting of June 12, 2007.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Planning Commission is final unless an appeal is filed to the City Clerk by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Five Hundred Forty-One Dollars (\$1,541.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property or Two Thousand Three Hundred Seventy-Nine Dollars (\$2,379.00) if the appeal is filed by any other party. The appeal shall be submitted to the City Clerk within ten (10) calendar days of the date of the Planning Commission's action.

Copies of staff reports and/or written materials on each agenda item are on file in the Planning Department, for inspection by the public. A copy of the agenda packet is also available at the Central Library (7111 Talbert Avenue).

VIDEO TAPES OF MEETINGS AVAILABLE FOR PUBLIC CHECK OUT AT THE CENTRAL LIBRARY, AND FOR DUPLICATION SERVICES IN THE CITY CLERK'S OFFICE.

HUNTINGTON BEACH PLANNING COMMISSION

Public Hearing Procedures

This statement has been prepared to provide a better understanding of the procedures for public hearings before the Planning Commission.

Regular meetings of the Planning Commission are held on the second and fourth Tuesdays of each month beginning at 5:15 p.m. in Room B-8 for a study session and then at 7:00 PM in the Council Chambers. Adjourned meetings, special meetings, and Study Sessions may be scheduled at other times.

Planning Commission proceedings are governed by the Planning Commission By-Laws, Robert's Rules of Order and the Brown Act. The following is the typical sequence of events on public hearing items:

- A. The Chairperson shall announce the item and if the public hearing is open or closed.
- B. The Planning Commission shall disclose any discussions, conversations, etc., with applicants, applicant's representatives or property owners.
- C. The staff report is presented.
- D. Questions by the Planning Commission concerning the staff report may be answered at this time.
- E. The public hearing is opened by the Chairperson.
- F. The applicant or appellant is given an opportunity to address the Commission. Time is not limited but left to the Chairperson's discretion.
- G. Public Comments: Staff will call all speakers by name. Please proceed to the podium. Individuals favoring and opposing the proposal are given an opportunity to address the Commission (up to four (4) minutes), or may choose to donate their time to another speaker if the "Request to Speak" form is filled out and given to the Secretary. A speaker who addresses the Commission on behalf of individuals who donate time are allowed a maximum of 12 minutes. Individuals who donate time must be present when the item is being discussed. Please state your name before addressing the Commission.
- H. The Commission may ask questions of speakers addressing the Commission.
- I. The public hearing is closed.
- J. The Commission will deliberate the matter at this time.
- K. The Commission then acts on the matter by continuing, approving, conditionally approving, or denying the petition.

The Planning Commission receives a staff report packet on the Tuesday preceding the meeting, allowing time to review each case and make further investigations in the field prior to the scheduled meeting.

Staff reports are available in the Planning Department, the Central Library and on the City's website (www.surfcity-hb.org) anytime on Wednesday preceding the Tuesday Planning Commission meeting.



City of Huntington Beach Planning Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, Director of Planning
BY: Rami Talleh, Associate Planner
DATE: May 22, 2007

**SUBJECT: ENTITLEMENT PLAN AMENDMENT NO. 07-001 (PIERSIDE PAVILION
MODIFICATION TO MIX OF USES – AMENDMENT TO CONDITIONAL USE
PERMIT NO. 90-37/COASTAL DEVELOPMENT PERMIT NO. 90-21
– 300 PACIFIC COAST HIGHWAY)**

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Entitlement Plan Amendment No. 07-001 represents a request for the following:

To amend Conditional Use Permit No. 90-37 and Coastal Development Permit No. 90-21 by modifying the established mix of uses at Pierside Pavilion. The applicant requests to reduce or eliminate the theater use and increase retail, office, and restaurant square footage within the building to address the changing patterns of Downtown Huntington Beach and meet current market demands. The proposed modification only addresses the established mix of uses. The applicant does not propose to expand the square footage of the building or modify the exterior. A comparison of the existing and proposed mix of uses is provided in the applicant's narrative (Attachment No. 4).

This request was continued from the March 13, 2007 Planning Commission Study Session at the applicant's request to pursue negotiations with the Economic Development Department on the Development and Disposition Agreement (DDA). The applicant would like to proceed with the May 22, 2007 Planning Commission Study Session, but may withdraw the application if negotiations are not concluded before the mandatory processing date of July 8, 2007.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	MV-F12-sp-pd (Mixed Use Vertical – 3.0 Max. Floor Area Ratio/ 35 Dwelling Units per Acre – Specific Plan Overlay – Pedestrian Overlay)	Downtown Specific Plan District 3/Coastal Zone	Retail/Office/Theater/ Restaurants
North of Subject Property (across Walnut):	MV-F6/25-sp-pd (Mixed Use Vertical – 2.0 Max. Floor Area Ratio/ 25 Dwelling Units per Acre – Specific Plan Overlay – Pedestrian Overlay)	Downtown Specific Plan District 5/Coastal Zone	Retail/Restaurant/ Parking Structure
East of Subject Property:	MV-F12-sp-pd	Downtown Specific Plan District 3/Coastal Zone	Residential Condominiums
South of Subject Property: (across PCH)	CV-d (Commercial Visitor-Design Overlay)	Downtown Specific Plan District 10/Coastal Zone	Pier/Restaurants/Beach
West of Subject Property: (across Main)	MV-F12-sp-pd	Downtown Specific Plan District 3/Coastal Zone	Retail/Office

The City approved Conditional Use Permit No. 88-07 with Special Permits and Coastal Development Permit No. 88-03 (Attachment No. 5) to develop a mixed-use project with a 90,000 square foot entertainment complex, including retail, office and a 6-plex movie theater (Pierside Pavilion) in addition to a 130-unit condominium project (Pier Colony). The developer and the Redevelopment Agency entered into a DDA to develop the property. In 1990 the City approved Conditional Use Permit No. 90-37 and Coastal Development Permit No. 90-21 (Attachment No. 6) to change the square footage of the uses at Pierside Pavilion. The modification reduced the square footage of retail uses and increased the square footage of restaurant uses.

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

MANDATORY PROCESSING DATE(S):

Entitlement Plan Amendment: February 9, 2007 July 8, 2007 (after 90-day extension)

Entitlement Plan Amendment No. 07-001 was filed on January 11, 2007 and deemed complete February 9, 2007. The applicant requested a 90-day extension to the mandatory processing time to amend the DDA with the Redevelopment Agency. Thus the deadline for mandatory processing is July 8, 2007.

CEQA ANALYSIS/REVIEW

The proposed project is Categorical Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act, which states that minor alterations to existing structures are exempt from further environmental review.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The project is located in the Huntington Beach Redevelopment Project, Main-Pier Subarea. The Economic Development Department is reviewing the request and will provide comments on the proposal. In a verbal discussion, the City Attorney's Office and Economic Development Staff have indicated that they are concerned with scheduling this item for Study Session prior to finalizing negotiations in amending the DDA. As a result, the Economic Development Department recommends denial of the request while negotiations are pending. Their concerns have been forwarded to the applicant.

The Departments of Building & Safety, Fire, Public Works, and Planning have reviewed the application and identified applicable code requirements (Attachment No. 3).

PUBLIC MEETINGS, COMMENTS AND CONCERNS

There have been no public meetings regarding this request. To date, there have been no comments from the public regarding this request.

PLANNING ISSUES

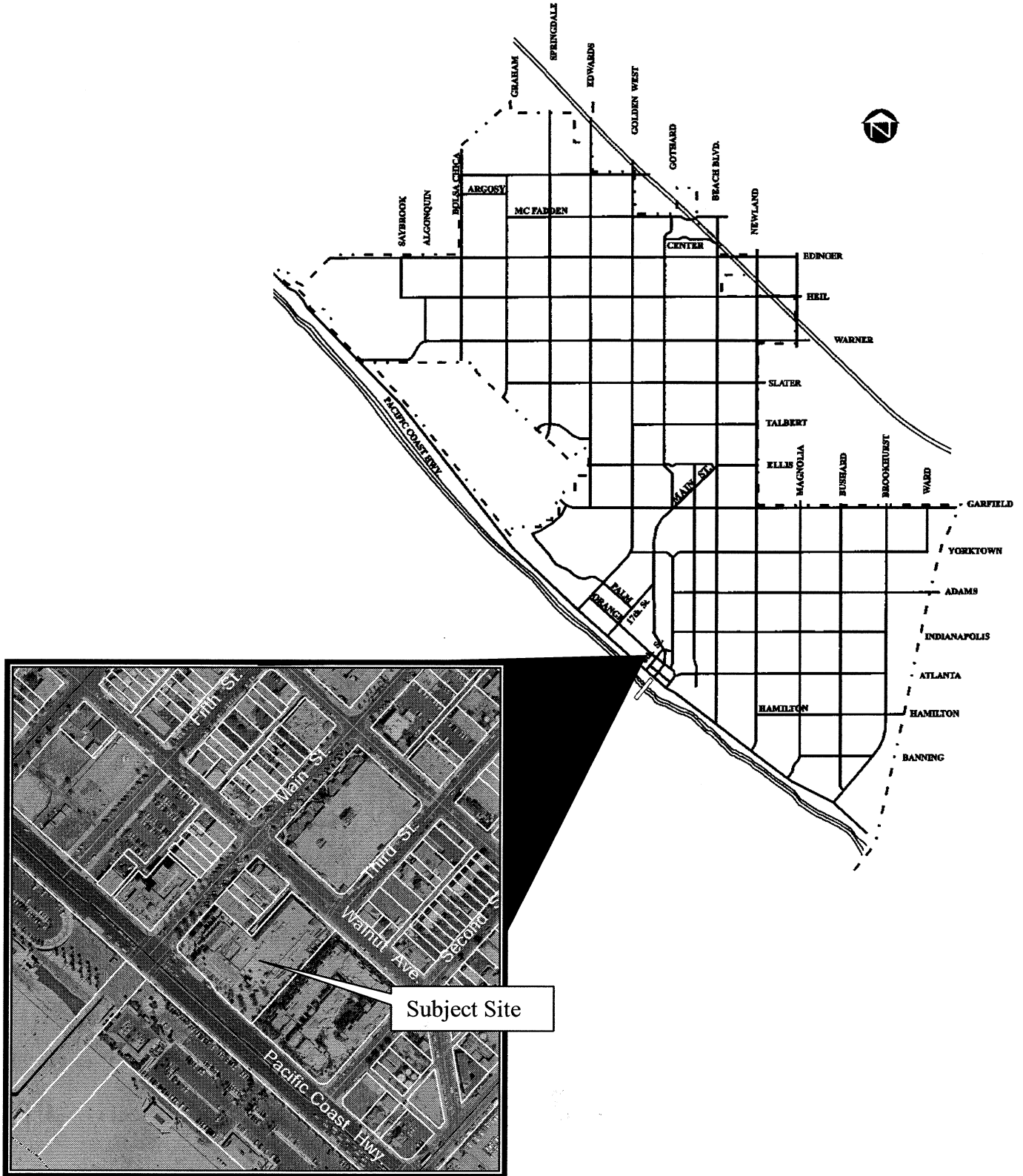
The primary issues with the proposed change to the mix of uses within Pierside Pavilion are land use compatibility and parking.

Pierside Pavilion was developed as an approximately 90,000 square foot entertainment complex including retail, restaurants, office, and a movie theater. The mixed-use development also included a 130-unit residential condominium project known as Pier Colony. The existing Pierside Pavilion building is adjacent to the Pier Colony residential units and separated by a 65 foot wide corridor.

The existing retail, restaurant, and office uses within Pierside Pavilion have a parking requirement of 303 spaces. The parking requirement for the theater is an additional 563 spaces, bringing the total number of required parking to 866 spaces. The required parking for the existing mix of uses is satisfied by an on-site 290 space parking structure and the adjacent City owned parking structure. The parking requirement for the proposed mix of uses will be reduced to 418 parking spaces, a 448 space reduction. In addition, an analysis of the effect that the proposed changes to the Pierside Pavilion development would have on downtown parking was provided in a study prepared by Kimley-Horn and Associates, Inc. The study concluded that the peak parking demand for the proposed change in the mix of uses would drop from 519 spaces to 272 spaces during the Friday night peak and from 321 spaces to 297 spaces during the Saturday peak.

ATTACHMENTS:

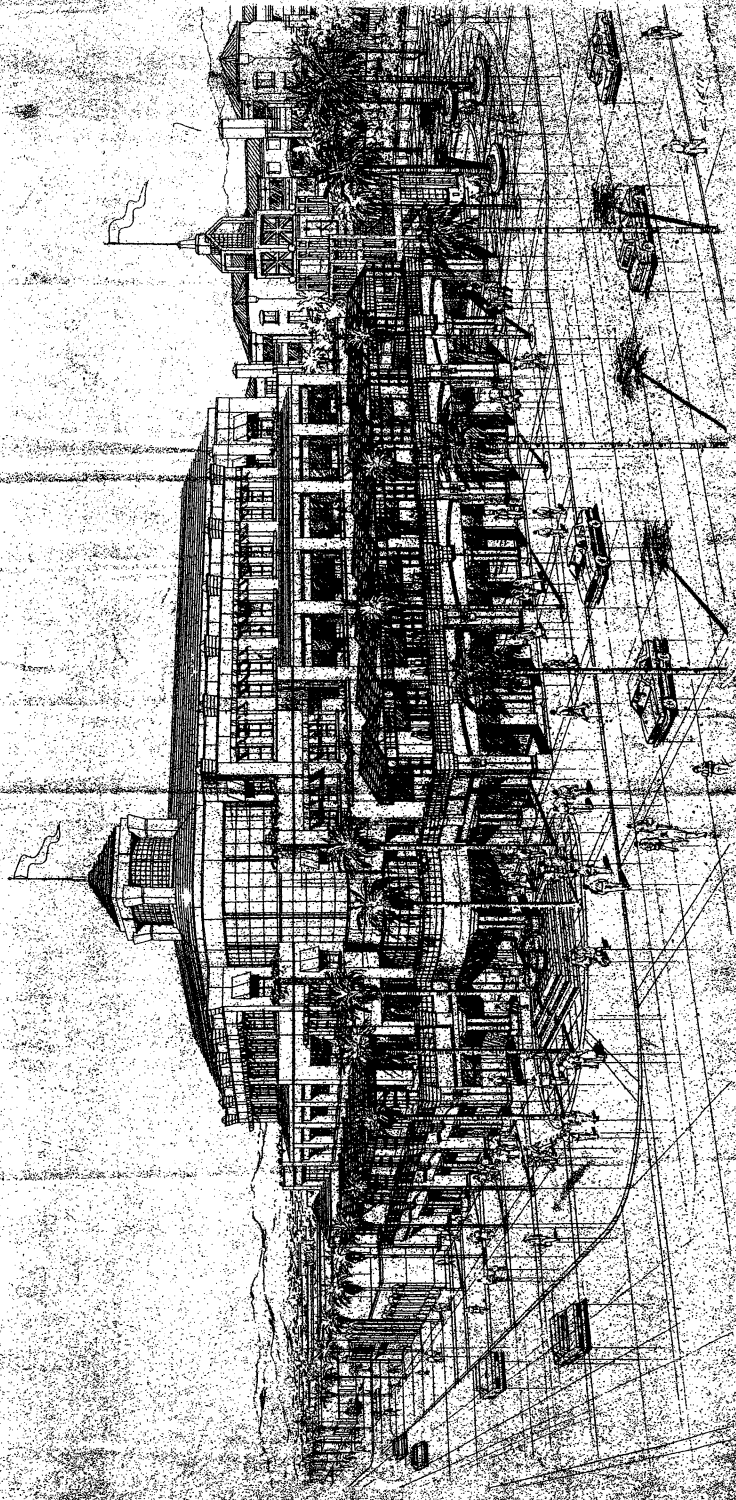
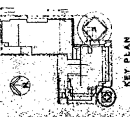
1. Vicinity Map
2. Site plan and floor plans received and dated January 11, 2007
3. Code Requirements Letter dated May 14, 2007
4. Project Narrative dated January 11, 2007
5. Planning Commission Notice of Action Dated April 19, 1988 (TTM No. 13478, CDP No. 88-3, and CUP No. 88-7)
6. Planning Commission Notice of Action Dated July 25, 1990 (CDP 90-21 and CUP No. 90-37)



VICINITY MAP
ENTITLEMENT PLAN AMENDMENT NO. 07-01
(PIERSIDE PAVILION MODIFICATION TO MIX OF USES)
300 PACIFIC COAST HIGHWAY

AUGSBURG & LOWE
ARCHITECTS
INCORPORATED
San Francisco, Calif.
1929

PIERSIDE PAVILION
300 PACIFIC COAST HIGHWAY
HUNTINGTON BEACH, CALIFORNIA



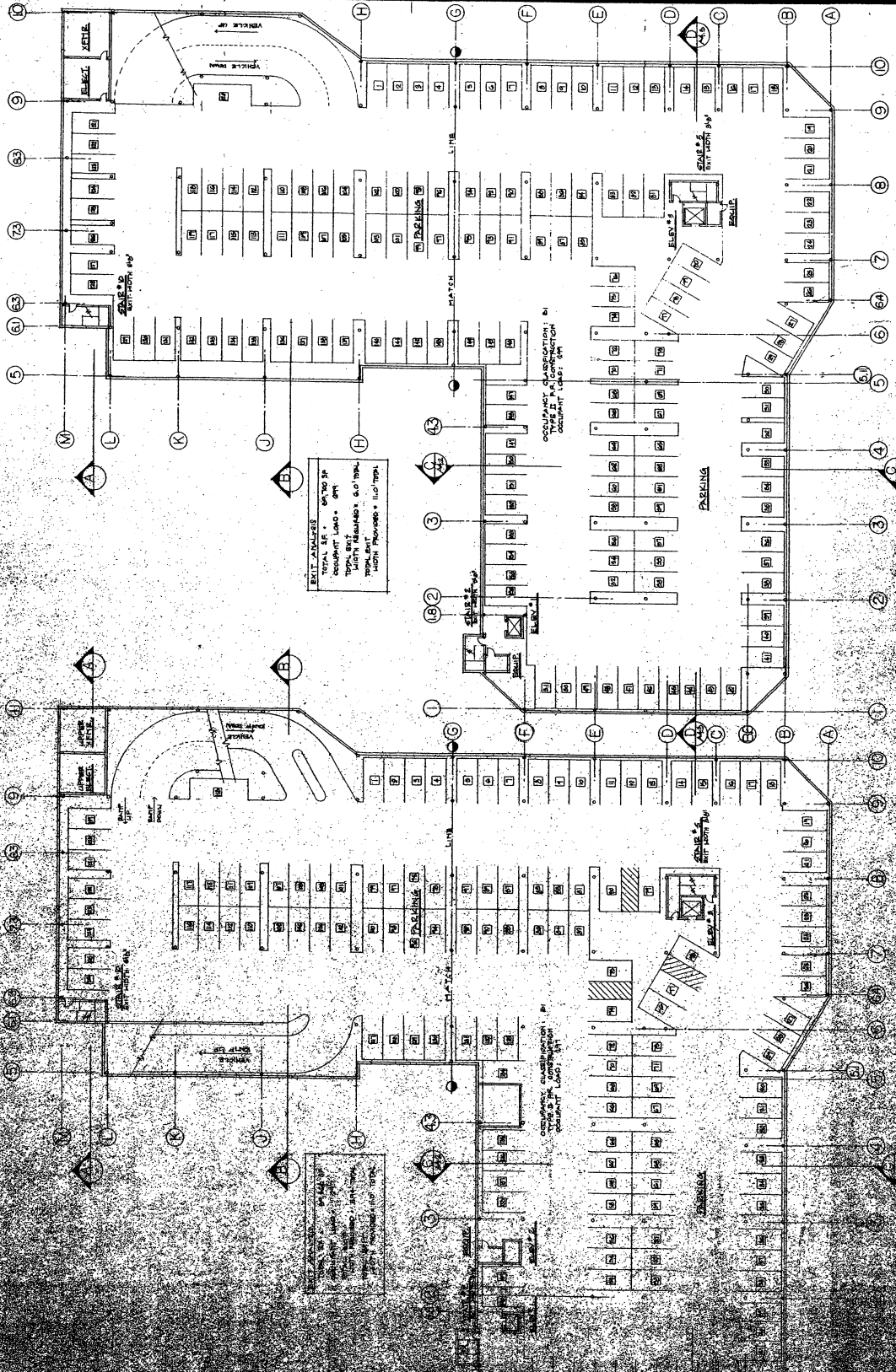
Main and Pacific Coast Hwy
Huntington Beach, California

City of Huntington
JAN 11 2001

SOLBERG + LOWE
ARCHITECTS AIA
Incorporated
10000 Wilshire Blvd.
Suite 1000
Beverly Hills, CA 90212
(310) 977-9721

PIERSIDE PAVILION
300 PACIFIC COAST HWY
HUNTINGTON BEACH, CA

City of Huntington Be.
JAN 11 2007



LOWER LEVEL TWO COMPOSITE

LOWER LEVEL - TWO



LOWER LEVEL ONE COMPOSITE

LOWER LEVEL - ONE

SOLBERG + LOWE
ARCHITECTS AIA
1800 Main Street
Santa Monica, CA 90405
(310) 392-9921

PIERSIDE PAVILION
300 PACIFIC COAST HWY
HUNTINGTON BEACH, CA

KEY PLAN

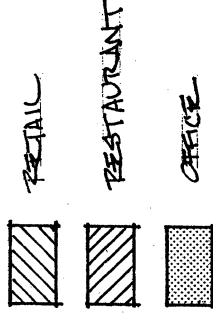
Project No. 06-14-04
Revision No. 4
Date 04-05-06
Drawn By [illegible]
Checked By [illegible]
Approved By [illegible]

WALNUT AVENUE

ALLEY

MAIN STREET

PACIFIC COAST HIGHWAY



SITE PLAN
FIRST FLOOR

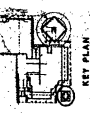
FIRST FLOOR

City of Huntington B
JAN 11 2007

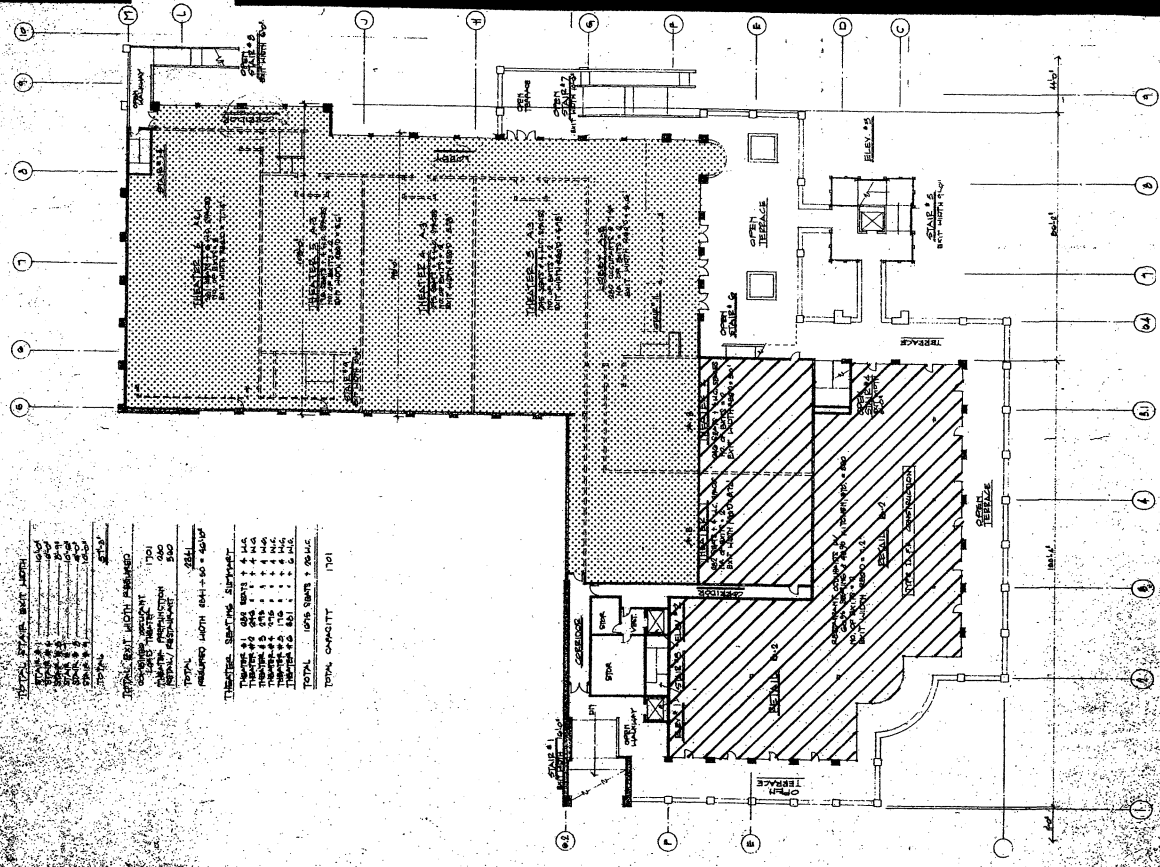
Huntington Beach
JAN 11 2007

SOLBERG & TOWNE
ARCHITECTS AIA
Incorporated
901 Main Street
Huntington Beach, CA 92648
(714) 392-1100

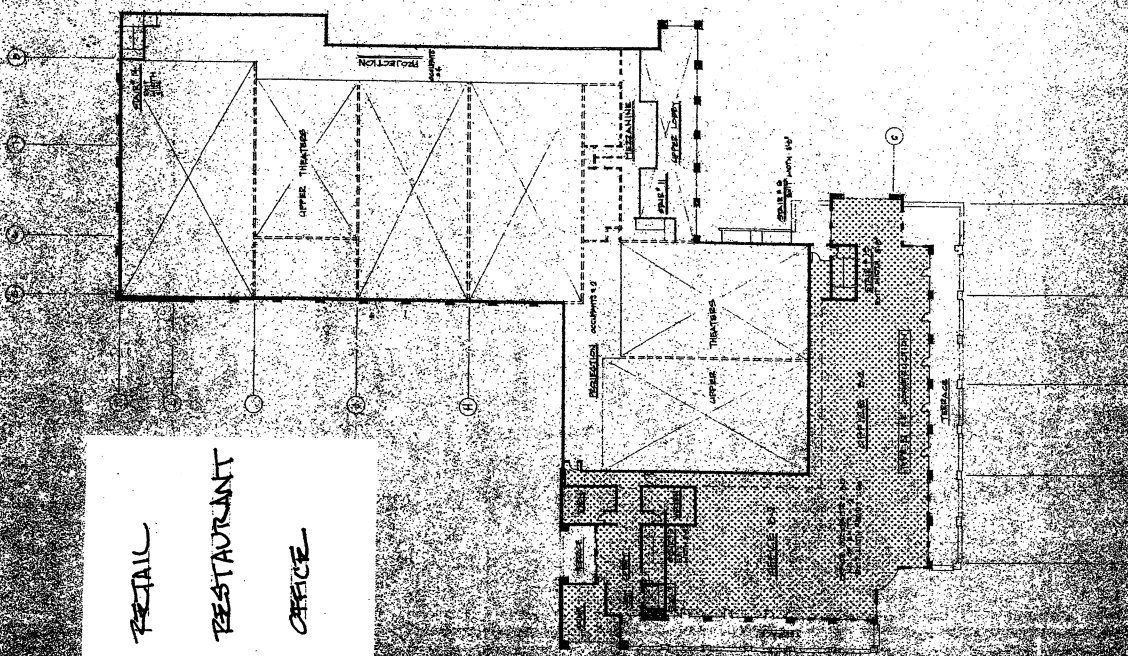
SEASIDE PAVILION
100 PACIFIC COAST HIGHWAY
HUNTINGTON BEACH, CALIFORNIA



Model	Revision	Date	By	Check
1	1	4-24-01		



SECOND FLOOR



THIRD FLOOR

RETAIL

RESTAURANT

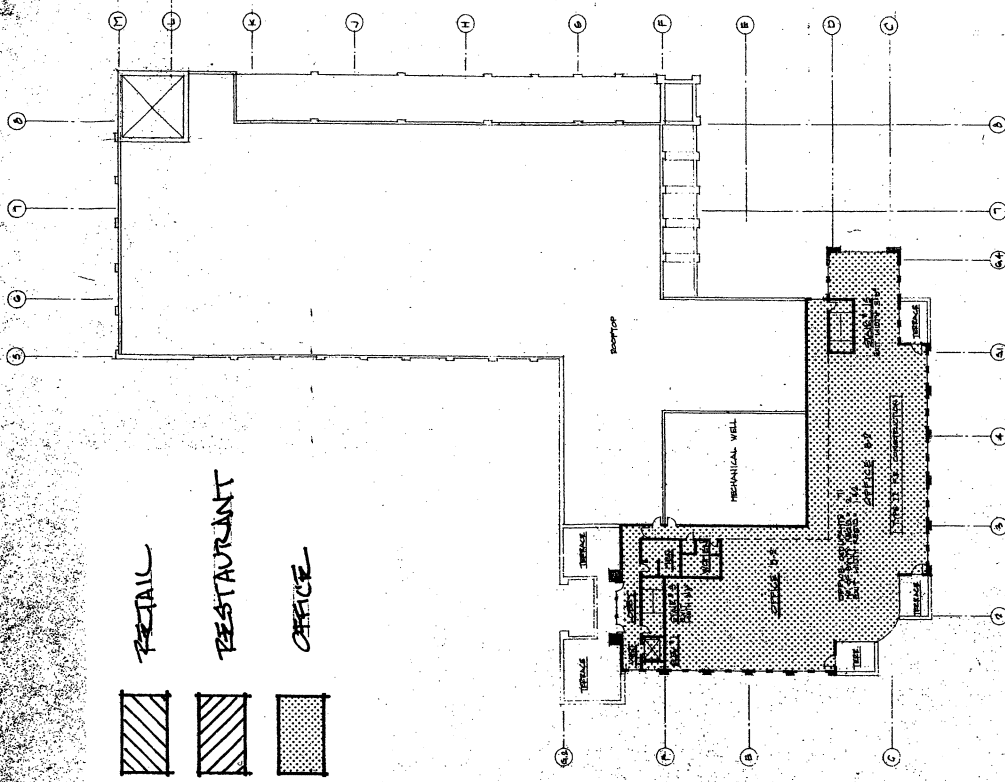
OFFICE

SOLBERG LOWE
ARCHITECTS
1001 Main Street
Santa Monica, CA 90401
(310) 395-9331

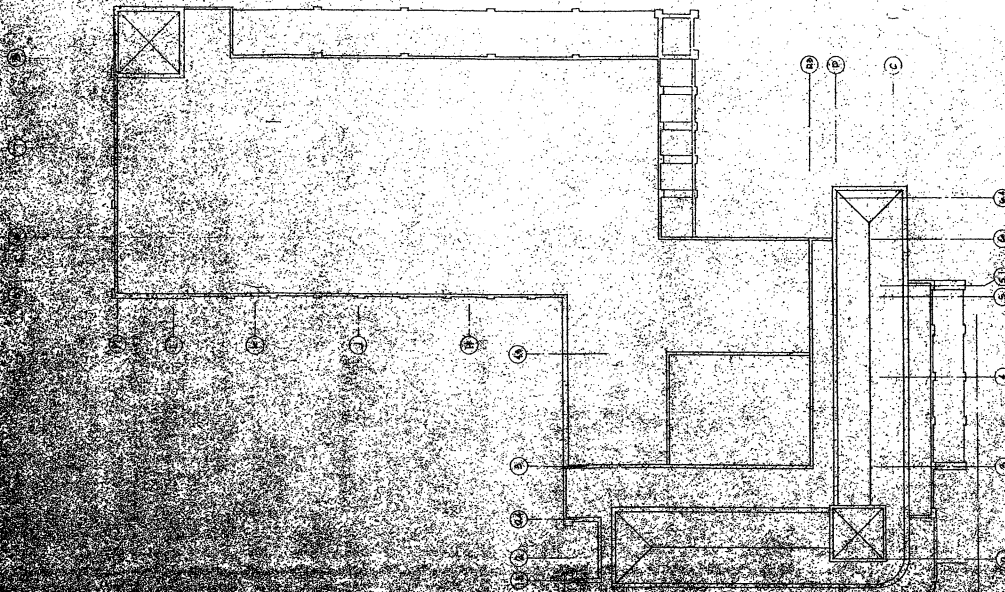
PIERSIDE PAVILION
300 PACIFIC COAST HIGHWAY
HUNTINGTON BEACH, CALIFORNIA

KEY PLAN

1-10' 0" 12' 0" 14' 0" 16' 0" 18' 0" 20' 0" 22' 0" 24' 0" 26' 0" 28' 0" 30' 0"



FOURTH FLOOR POSITIVE



ROOF PLAN

City of Huntington B
JAN 11 2007



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

Phone 536-5271
Fax 374-1540

May 14, 2007

Michael C. Adams
21190 Beach Blvd.
Huntington Beach, CA 92648

**SUBJECT: ENTITLEMENT PLAN AMENDMENT NO. 07-01 (PIERSIDE PAVILION
MODIFICATION TO MIX OF USES) PROJECT IMPLEMENTATION CODE
REQUIREMENTS**

Dear Mr. Adams,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission. Please note that if the design of your project or site conditions change, the list may also change.

The attached project implementation code requirements may be appealed to the Planning Commission as a matter separate from the associated entitlement(s) within ten calendar days of the approval of the project pursuant to the Huntington Beach Zoning and Subdivision Ordinance Section 248.24. The appeal fee is \$494.00.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at 714-374-1682 and/or the respective source department (contact person below).

Sincerely,

Rami Talleh,
Associate Planner

Enclosure

cc: Gerald Caraig, Building and Safety Department – 714-374-1575
Lee Caldwell, Fire Department – 714-536-5531
Steve Bogart, Public Works – 714-536-1692
Herb Fauland, Principal Planner
Paul DaVeiga, Project Manager
Jason Kelley, Planning Department
Joe Daichendt, Pierside Pavilion LLC., 300 Pacific Coast Highway, Huntington Beach, CA 92648
Project File

G:\Talleh\2007\Planning Commission\300 PCH\300 Code Requirements letter.doc

ATTACHMENT NO. 3.1



HUNTINGTON BEACH BUILDING AND SAFETY DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: MARCH 27, 2007
PROJECT NAME: PIERSIDE PAVILION AMENDMENT
ENTITLEMENTS: ENTITLEMENT PLAN APPLICATION NO. 2007-01
PROJECT LOCATION: 300 PACIFIC COAST HIGHWAY, HUNTINGTON BEACH, CA
PLAN REVIEWER-FIRE: DANIEL LEE, BUILDING AND SAFETY DEPARTMENT
TELEPHONE/E-MAIL: (714) 536-5241/ dlee@surfcity-hb.org
PROJECT DESCRIPTION: TO PERMIT A MODIFICATION TO THE MIX AND EXTENT OF USE WITHIN THE EXISTING BUILDING.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated February 27, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST.

General:

1. Although the local Building Department has neither the responsibility nor the authority to enforce ADA regulations, the Architect or Designer is strongly advised to include such requirements in the building design.
2. Plans must be prepared and stamped and wet signed by a California licensed Architect and Engineer.
3. All new areas must meet the energy standards of the State of California Building Code 2005 edition. Energy forms must be provided and reproduced on the plans. See California Building Code - 2001© section 310.11 for areas requiring heating.
4. Provide building permit application and completed drawing(s) for architectural and structural information and required documents for plan review.

Information on Plans:

5. Provide Building Code analysis on the plans (Title Sheet) to show compliance with California Building Code ©, 2001 edition for:
 - 5.1. Occupancy requirements (Chapter 3).
 - 5.2. Allowable Area (Chapter 5).
 - 5.3. Type of Construction.

6. Occupancy classification and occupant loads of all areas need to be stated on the plans.
7. Provide on the plans required wall and opening protection and fire resistance of wall and parapet due to location on property. See California Building Code © Section 503 and Table 5-A.
8. Clearly show distance to all property lines and centerline of streets.
9. Show clear distance to other buildings on the same property and overhangs.
10. Site plans must show final surface drainage elevations and finish floor elevation, building address, distance between buildings on the same property, easements, all required disabled access features and signage, etc.
11. Separate permits are required for signs, fences, retaining walls, trash enclosures, pole mounted yard lighting foundations, as applicable.

Note on the Plans:

12. Provide the following notes on the plans:
 - 12.1. "Exits may cause modification to building shell and the owner will be responsible for any structural alterations."
 - 12.2. "Interior improvement designers must refer to original plans to comply with original assumptions of the building shell."
 - 12.3. "This project must comply with Huntington Beach Security Ordinance Code."
13. Building and facilities shall be made accessible to persons with disabilities as required. California Building Code © T24 Sec. 1101B.1 4.1.1(1)
14. Show on the plans access for the disabled is provided and meets current code. Required access features or facilities not meeting the current requirements must be upgraded. Provide a complete disabled access plan and list all required items and status of meeting current compliance standards.

Structural (General):

15. Structural calculations shall be prepared to comply with the California Building Code ©, 2001 edition.
16. Roof or floor mounted equipment weighing 400 pounds or more must be shown on the structural framing plans and must be include in the structural analysis and provide a design for anchorage to the building frame.

Restaurants:

17. Use 15 SF per occupant for dining areas; use 7 SF per occupant for waiting areas.



HUNTINGTON BEACH FIRE DEPTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: MARCH 27, 2007

PROJECT NAME: PIERSIDE PAVILION MODIFICATION TO MIX OF USES

ENTITLEMENTS: ENTITLEMENT PLAN AMENDMENT NO. 2007-01

PROJECT LOCATION: 300 PACIFIC COAST HIGHWAY (SOUTHWEST CORNER OF PACIFIC COAST HIGHWAY AND MAIN STREET)

PLAN REVIEWER-FIRE: LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST

TELEPHONE/E-MAIL: (714) 536-5531/ lcaldwell@surfcity-hb.org

PROJECT DESCRIPTION: TO MODIFY THE MIX AND EXTENT OF USES WITHIN THE EXISTING BUILDING CONVERTING THE THEATERS TO RETAIL, OFFICE, AND RESTAURANT USES.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated February 27, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

- a. No Fire comments this section. (FD)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF BUILDING PERMITS:

- a. Modification, Additions, or Deletions to an existing automatic fire sprinkler system or fire alarm system shall require that separate plans (three sets) shall be submitted to the Fire Department for permits and approval. The system shall provide water flow, tamper and trouble alarms, manual pull stations, interior and exterior horns and strobes, and 24-hour central station monitoring. Any extended interruption of the fire sprinkler system operation will require a "fire watch", approved by the Fire Department. Reference compliance with City Specification # 420 - Automatic Fire Sprinkler Systems in the plan notes. (FD)
- b. Fire Extinguishers shall be installed and located in all areas to comply with Huntington Beach Fire Code standards found in City Specification #424. The minimum required dry chemical fire extinguisher size is 2A 10BC and shall be installed within 75 feet travel distance to all portions of the building. Extinguishers are required to be serviced or replaced annually. For

ATTACHMENT NO. 3.4

Fire Department approval, reference and demonstrate compliance with City Specification #424 – *Portable Fire Extinguishers* on the plans. **(FD)**

- c. Main Secured Building Entries shall utilize a KNOX® Fire Department Access Key Box, installed and in compliance with City Specification #403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings. Please contact the Huntington Beach Fire Department Administrative Office at (714) 536-5411 for information. Reference compliance with City Specification #403 - KNOX® Fire Department Access in the plan notes. **(FD)**
- d. Building address numbers shall be installed to comply with City Specification #428, Premise Identification. Building address number sets are required on front of the structure and shall be a minimum of six inches (6") high with one and one half inch (1 ½") brush stroke. Note: Units shall be numbered with numbers per City Specification # 409 Street Naming and Address Assignment Process. For Fire Department approval, reference compliance with City Specification #428 Premise Identification in the plan notes and portray the address location on the building. **(FD)**
- e. Individual units shall be identified and numbered per City Specification # 409 Street Naming and Address Assignment Process through the Planning Department. Unit address numbers shall be a minimum of four inches (4") affixed to the units front door in a contrasting color. For Fire Department approval, reference compliance with City Specification #409 Street Naming and Address Assignment Process, in the plan notes and portray the address and unit number of the individual living areas. **(FD)**
- f. Food Preparation Fire Protection System may be required for restaurants. If required, plans (three sets) shall be submitted to the Building Department as separate plans for permits and Fire Department approval. Reference compliance with *City Specification # 412 Protection of Commercial Cooking Operations* in the plan notes. **(FD)**
- g. Cold storage rooms or walk-in freezers doors shall be operable without the use of a key or any special knowledge or effort. Doors shall not be locked, chained, bolted, barred, latched or otherwise rendered inoperable at times when the building or area served by the means of egress is occupied. **(FD)**
- h. Any new elevators installed shall be sized to accommodate an ambulance gurney. Minimum interior dimensions are 6 feet 8 inches (80") wide by 4 feet 3 inches (51") deep. Minimum door opening dimensions are 3 feet 6 inches (42") wide right or left side opening. Center opening doors require a 4 feet 6 inches (54") width. **(FD)**

THE STRUCTURE(S) CANNOT BE OCCUPIED, THE FINAL BUILDING PERMIT(S) CANNOT BE APPROVED, AND UTILITIES CANNOT BE RELEASED UNTIL THE FOLLOWING HAS BEEN COMPLETED:

- a. Commercial Automatic Fire Sprinkler System in-service per City Specification # 420 - Automatic Fire Sprinkler Systems. **(FD)**
- b. Fire Extinguishers shall be installed and located in all areas to comply with Huntington Beach Fire Code standards found in City Specification #424. **(FD)**

ATTACHMENT NO. 3.5

- c. Knox access shall be provided. **(FD)**
- d. Address Numbers installed to comply with City Specification #428, Premise Identification. **(FD)**
- e. Food Preparation Fire Protection System provided (if required). **(FD)**
- f. Cold storage rooms or walk-in freezers doors operable without the use of a key or any special knowledge or effort. **(FD)**
- g. Any new elevators installed shall be sized to accommodate an ambulance gurney. **(FD)**

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access and Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. **(FD)**

OTHER:

- a. Discovery of soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. **(FD)**
- b. Outside City Consultants. The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. **(FD)**

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office
City Hall 2000 Main Street, 5th floor
Huntington Beach, CA 92648

Or through the City's website at **www.surfcity-hb.org**

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.



CITY OF HUNTINGTON BEACH

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: MAY 14, 2007

PROJECT NAME: PIERSIDE PAVILION MODIFICATION TO MIX OF USES

ENTITLEMENTS: ENTITLEMENT PLAN AMENDMENT NO. 2007-01

PROJECT LOCATION: 300 PACIFIC COAST HIGHWAY (SOUTHWEST CORNER OF PACIFIC COAST HIGHWAY AND MAIN STREET)

DEPARTMENT/PHONE: PLANNING DEPARTMENT – (714) 536-5271

PLAN REVIEWER: RAMI TALLEH, ASSOCIATE PLANNER

PROJECT DESCRIPTION: TO MODIFY THE MIX AND EXTENT OF USES WITHIN THE EXISTING BUILDING CONVERTING THE THEATERS TO RETAIL, OFFICE, AND RESTAURANT USES.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated January 11, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the (Zoning Administrator/ Planning Commission) in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

ENTITLEMENT PLAN AMENDMENT NO. 2007-01:

1. The site plan and floor plans approved by the Planning Commission shall be the conceptually approved design.
2. Prior to submittal for building permits, the following shall be completed:
 - a. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
 - b. Submit three (3) copies of the site plan and floor plans and the processing fee to the Planning Department for addressing purposes.
3. The Planning Director ensures that all requirements herein are complied with. The Planning Director shall be notified in writing if any changes to the site plan, elevations and floor plans are proposed as a result of the plan check process. Building permits shall not be issued until the Planning Director has reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action and the conditions herein. If the proposed changes are of a substantial nature,

an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the Huntington Beach Zoning and Subdivision Ordinance.

4. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
5. Entitlement Plan Amendment No. 2007-01 shall not become effective until the ten calendar day appeal period from the Planning Commission approval of the entitlement has elapsed.
6. Entitlement Plan Amendment No. 2007-01 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.
7. The Planning Commission reserves the right to revoke Entitlement Plan Amendment No. 2007-01 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.
8. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.
9. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's action.
10. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Public Works for Code requirements. Substantial changes may require approval by the Planning Commission.
11. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs.



**HUNTINGTON BEACH
PUBLIC WORKS DEPARTMENT
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

DATE: MARCH 22, 2007

PROJECT NAME: PIERSIDE PAVILION (MODIFICATION TO MIXED USE)

ENTITLEMENTS: ENTITLEMENT PLAN AMENDMENT 07-01

PROJECT LOCATION: 300 PACIFIC COAST HIGHWAY (SOUTHWEST CORNER OF PACIFIC COAST HIGHWAY AND MAIN STREET)

PLAN REVIEWER: STEVE BOGART, ASSOCIATE CIVIL ENGINEER

TELEPHONE/E-MAIL: 714-374-1692 / SBogart@surfcity-hb.org

PROJECT DESCRIPTION: TO MODIFY THE MIX AND EXTENT OF USES WITHIN THE EXISTING BUILDING CONVERTING THE THEATERS TO RETAIL, OFFICE, AND RESTAURANT USES.

Public Works has reviewed the subject project and site plan (received and dated January 11, 2007) and has no comments.

ATTACHMENT NO. 3.9

MICHAEL C. ADAMS ASSOCIATES

City of Huntington Beach
JAN 11 2007

January 5, 2007

Scott Hess
Planning Director
City of Huntington Beach
2000 Main Street
Huntington Beach, Ca 92648

Re: An Amendment to Conditional Use Permit No. 88-7 (Pierside Pavilion)

Dear Scott:

In order to address the changing patterns of the Huntington Beach downtown and meet current market demands, the Pierside Pavilion project is requesting an amendment to the original Conditional Use Permit. This request will reduce or eliminate the theatre uses and add additional office and restaurant space.

The changes will only address the allowed uses and mix of uses, no intensification of the building square footage or any exterior modifications are proposed at this time. Over the years, a number of requests have been processed for the site. The proposed amendment will establish the proper mix for the available parking.

The proposed change to the building activities is also being reviewed by the Economic Development Department. The various Redevelopment Agency Agreement Amendments will be processed concurrently with the Planning review.

The intent of this request is to identify and establish all uses and activities within the complex including outdoor dining and miscellaneous activities.

Please carefully review this request and offer any suggestions you may have.

Thank you for your consideration.

Sincerely,


Mike Adams

cc: Stanley Smalewitz
Joe Daichendt
Dave Walling

P.O. BOX 382
HUNTINGTON BEACH, CA 92648
PHONE 714.374.5678 FAX 714.374.2211
E-MAIL: AdamsAssoc@socal.rr.com

ATTACHMENT NO. 4.1

JAN 11 2007

NARRATIVE (12/21/06)

Location: 300 Pacific Coast Highway

Business: Pierside Pavilion

Request: To amend the original Conditional Use Permit in order to modify the mix of uses within the complex. The proposal is to add additional restaurant and office space and reduce or eliminate the theatre square footage.

The proposal will establish the total amount of square footage which will be available for all uses. The mix of uses may be transferred from suite to suite, without the need for additional entitlement, provided the proposed change remains within the allowances approved by this Amended Entitlement. Proposed use mix is attached in the comparative chart.

Zoning and General Plan: The property is zoned Downtown Specific Plan Area 5 and the General Plan designation is MV-F12-sp-pd

Surrounding Uses: North-Parking Structure/Restaurants/Retail
East-Medical Office/Residential
South-Residential Condominiums
West-Retail/Restaurants

Environmental Status: There are no significant environmental impacts associated with this project. The project site is not within a known hazardous waste and substance site.

Land Use Compatibility: The proposed project is compatible with existing businesses in the area and will comply with the City's noise ordinance and the hours of operation will be consistent with other businesses within the downtown area.

Pierside Pavilion

USES	CUP 88-7	CUP 90-37	EXISTING	DPMP 2000	ENTITLEMENT PLAN APPLICATION
Retail	23,575 sq. ft.	14,459 sq. ft.	12,834 sq. ft.	14,459 sq. ft.	18,000 sq. ft.
Restaurant	10,000 sq. ft.	23,773 sq. ft.	19,291 sq. ft.	23,773 sq. ft.	24,000 sq. ft.
Outdoor Dining		2,036 sq. ft.	3,000 sq. ft.		4,000 sq. ft.
Nite Club	3,000 sq. ft.	3,500 sq. ft.	-		-
Office	15,925 sq. ft.	15,925 sq. ft.	20,623 sq. ft.	16,000 sq. ft.	42,000 sq. ft.
Theater	1,750 seats	1,688 seats	26,000 sq. ft.	30,000 sq. ft.	-
Outdoor Carts					
Subtotal	90,000 sq. ft.		78,748 sq. ft.**	84,232 sq. ft.	88,000 sq. ft.
Parking	921 sp.	921 sp.	909 sp.	897 sp.	
Onsite	297 sp.	297 sp.	285 sp.		
Offsite	624 sp.	624 sp.	624 sp.		
Residential	130 du	-			
Parking					

12/20/2006

** Net leaseable without outdoor dining

City of Huntington Beach

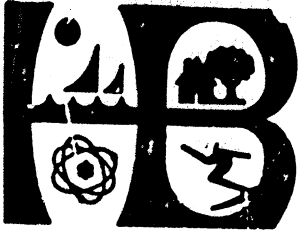
JAN 11 2007

JAN 11 2007

Pierside Pavilion

REQUIRED PARKING	CUP 88-7	EXISTING	DPMP	PROPOSED ENTITLEMENT PLAN AMENDMENT
Retail	94 sp. (1/250)	39 sp. (1/333)	44 sp.	54 sp. (1/333)
Restaurant	67 sp. (1/150)	193 sp. (1/100)	238 sp.	240 sp. (1/100)
Outdoor Dining		30 sp. (1/100)		40 sp. (1/100)
Nite Club		-		-
Office	16 sp. (1/1000)	42 sp. (1/500)	32 sp.	84 sp. (1/500)
Theater	583 sp. (1/3 seats)	583 sp. (1/3 seats)	583 sp.	-
Outdoor Carts				
Subtotal				
Total Parking	760 sp.	887 sp.	897 sp.	418 sp.

12/20/2006



Huntington Beach Planning Commission

P.O. BOX 190

CALIFORNIA 92648

April 19, 1988

California Resorts/
City of Huntington Beach
Redevelopment Agency

SUBJECT: CONDITIONAL USE PERMIT NO. 88-7 WITH SPECIAL PERMITS,
COASTAL DEVELOPMENT PERMIT NO. 88-3 AND TENTATIVE TRACT
NO. 13478

REQUEST: To develop a mixed use project with a 90,000 square foot
entertainment complex, including retail, office and a
6-plex movie theater in addition to a 160 unit
condominium project.

LOCATION: The area approximately bounded by Pacific Coast Highway,
Main Street, Walnut Avenue and Second Street

**DATE OF
APPROVAL:** April 5, 1988

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 88-7:

1. The proposed mixed use project with an entertainment/commercial center (a maximum 1,750 seat theater; 23,575 square feet of commercial; 15,925 square feet of office space; 10,000 square foot restaurant with 3,500 square foot outdoor deck area; and a maximum 3,000 square foot night club) and 130 condominium units will not have a detrimental effect upon the general health, welfare, safety and convenience of persons residing or working in the vicinity and will not be detrimental to the value of the property and improvements in the vicinity. All required parking for the proposed project will be provided on-site for the residential portion with a minimum of 300 spaces on-site for commercial. The remainder (approximately 675 spaces) will be provided within a parking facility adjacent to the proposed site.
2. The proposed mixed use project with entertainment/commercial center and 130 condominium units is designed to be compatible with existing and proposed uses in the vicinity.

ATTACHMENT NO. 5.1

3. The location, site layout and design of the proposed mixed use project with entertainment/commercial center and 130 unit condominium project is properly related to the streets, drives and other structures and uses in the vicinity in a harmonious manner.
4. The architecture and design of the proposed mixed use project is in conformance with the adopted Design Guidelines for the Downtown Specific Plan.
5. The general appearance including architectural features of the proposed mixed use project shall enhance the orderly and harmonious development of the Downtown Specific Plan.
6. The proposed mixed use project with entertainment/commercial center and 130 condominium units is consistent with the goals and policies of the Huntington Beach General Plan.

FINDINGS FOR APPROVAL - SPECIAL PERMITS:

1. The following special permits for deviations to the requirements of the Downtown Specific Plan promote a better living environment and provide maximum use of the land in terms of site layout and design; exceeding the required amount of common open space.
 - a. Setbacks of 10 feet in lieu of 15 feet along Pacific Coast Highway and Walnut for encroachment of a colonade.
 - b. A reduction in the required alley width from 30 feet to 27 feet and a reduction in the main accessway width from the required 28 feet to 27 feet.
 - c. An increase in site coverage to create a better project profile and to help reduce the potential conflict of adjacent residential and commercial uses is necessary. Residential will have a maximum site coverage of 59 percent and commercial a maximum of 60 percent. At the request of the Planning Commission the residential site coverage was increased from 50 percent to a maximum of 59 percent.
2. The approval of the special permits for encroachment in setbacks, accessway widths and increase in site coverage will not be detrimental to the general health, welfare, safety and convenience of the neighborhood in general, nor detrimental or injurious to the value of property or improvements of the neighborhood.

3. The special permit requests for encroachment in setbacks, accessway widths and increase in site coverage are consistent with the objectives of the Downtown Specific Plan in achieving a development adapted to the parcel and compatible with the surrounding environment.
4. The special permits for encroachment in setbacks, accessway widths and increase in site coverage are consistent with the policies of the Coastal Element of the City's General Plan and the California Coastal Act.

FINDINGS FOR APPROVAL - TENTATIVE TRACT 13478:

1. The proposed two lot subdivision for condominium and commercial purposes of the 170,912 net square foot parcel of land zoned Downtown Specific Plan-District 3, is proposed to be constructed having 130 residential condominium units and 90,000 square feet of commercial and retail.
2. The property was previously studied for a greater intensity of land use at the time the land use designation and Downtown Specific Plan-District 3 zoning designation were placed on the subject property.
3. The Huntington Beach General Plan is designed with provisions for the type of land use proposed, mixed use with entertainment/commercial center and residential, as well as setting forth provisions for the implementation of the proposed project.
4. The site is relatively flat and physically suitable for the proposed density and type of development.
5. Tentative Tract 13478 is consistent with the goals and policies of the Huntington Beach General Plan.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 88-3:

1. The proposed mixed use project with entertainment/commercial center and 130 residential condominium units conforms with the plans, policies, requirements and standards of the Huntington Beach Coastal Element.

**CONDITIONAL USE PERMIT NO. 88-7 WITH SPECIAL PERMITS, COASTAL
DEVELOPMENT PERMIT NO. 88-3 AND TENTATIVE TRACT NO. 13478
Page Four**

2. Coastal Development Permit No. 88-3 is consistent with the CZ suffix and the Downtown Specific Plan as well as other provisions of the Huntington Beach Ordinance Code applicable to the project.
3. The proposed mixed use project with entertainment/commercial center and 130 condominium units shall be provided with infrastructure in a manner that is consistent with the Huntington Beach Coastal Element and Land Use Plan of the General Plan.
4. The proposed mixed use project with entertainment/commercial center and 130 condominium units conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.
5. The Mellow Bill Affordable Housing requirements, Government Code Section 65590(d), are satisfied in the following manner:
 - a. The City has provided density bonuses within three miles of the coastal zone which have provided affordable housing.
 - b. Due to the location and economics involved it would not be feasible to develop affordable housing on this site. The value of the land coupled with the need to provide subterranean parking on site would prohibit the ability to provide for affordable housing.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 88-7:

1. The site plan, floor plan and elevations received and dated March 25, 1988, shall be the conceptually approved layout with the modifications described herein:
 - a. Number of units shall be reduced from 160 to 130 in order to create a greater separation of the residential from the commercial portions of the project; provide an increase in the average unit size; provide for a better overall building profile; and to provide greater view opportunities.
 - b. The finished floor of the first level units and adjacent common open space areas of the residential portion of the project shall be elevated to a maximum of 8 feet above existing grade for the creation of a greater physical separation of the residential from the commercial portions of the project.

- c. The residential building elevations adjacent to Pacific Coast Highway and Second Street shall be modified to show a greater degree of upper story setback or other building wall movement, subject to review by the Design Review Board.
- d. The vallet/passenger drop off area adjacent to Walnut Avenue shall be modified to reduce the potential conflict of pedestrians and vehicles entering the project, subject to review by the Planning Commission.
- e. The residential project shall include the following sound mitigation features:
 - (1) Double glassing on all exterior perimeter windows
 - (2) Intensified landscape materials with water feature
 - (3) Vertical separation from pedestrian accessway
- f. All private open space shall comply with the minimum dimension and square feet requirements of the Downtown Specific Plan.
- g. Parking layout shall show minimum 26 foot aisleways with all spaces dimensioned at 8-1/2 feet by 18 feet except those adjacent to a wall over 42 inches in height which shall be 12 feet in width.
- h. Depict all utility apparatus, such as but not limited to backflow devices and Edison transformers, on the site plan. They shall be prohibited in the front and exterior yard setbacks unless properly screened by landscaping or other method approved by the Community Development Director.
- i. Depict commercial electrical vault in a location that presents the least public hazard subject to review and approval by the Fire Department, Public Works Department and Community Development Department.
- j. Adequate trash enclosures shall be provided with a method of trash pick up subject to the approval of the Public Works Department and Community Development Department.
- k. The three security gates in the residential parking structure shall be located so no dead-end driveways are created for guest parking.

**CONDITIONAL USE PERMIT NO. 88-7 WITH SPECIAL PERMITS, COASTAL
DEVELOPMENT PERMIT NO. 88-3 AND TENTATIVE TRACT NO. 13478
Page Six**

1. Circulation in the entertainment center parking structure shall provide a continuous flow on the first level down to the second level subject to the approval of the Public Works Department and Department of Community Development.
- m. Site coverage shall not exceed 59 percent for residential and 60 percent for commercial.
- n. Parking layout shall be modified to add an additional 155 spaces on-site. If it is not feasible to incorporate the total additional spaces on-site, the shortfall must be made up in the off-site adjacent parking structure as identified in Condition No. 3.
2. Prior to the issuance of building permits, the following shall be completed:
 - a. Street improvements as determined necessary by the Fire Department.
 - b. Water mains and fire hydrants shall be installed and operating.
 - c. All existing or abandoned oil well sites must be abandoned pursuant to Department of Gas and Oil and Fire Department standards.
 - d. A circulation and parking management plan by a traffic engineer addressing valet parking, ingress and egress to the site, the allocation and assignment of parking spaces for residential tenants, and the need for a second ingress and egress ramp to the residential subterranean parking structure shall be submitted and approved by the Department of Community Development.
 - e. Prior to combustible or above grade construction, a fire protection plan, pursuant to Article 87 of the Huntington Beach Fire Code, shall be submitted for approval by the Fire Department. The plan shall have provisions for: phased installation of sprinkler systems, on-site security, and telephone for emergency notification.
 - f. Final tract map for the subject site shall be accepted by the City Council and recorded with the County Recorder's Office.

- g. A copy of the revised site plan, elevations and floor plans, pursuant to Condition No. 1 of this report shall be submitted as record for the conditional use permit file.
 - h. A landscape and irrigation plan pursuant to the Downtown Design Guidelines and Article 960 shall be submitted and approved by the Community Development Department and Public Works Department.
 - i. A rooftop mechanical screening plan submitted and approved by the Department of Community Development.
 - j. An affordable housing agreement plan to provide affordable housing within 3 miles of the Coastal Zone for the replacement of the 12 existing units displaced as a result of this project shall be submitted for review and approval by the Community Development Department.
 - k. Hydrology/hydraulic drainage studies shall be submitted to the Public Works Department for approval.
 - l. A grading plan and soils report shall be submitted to the Department of Public Works for approval.
 - m. All applicable Public Works fees shall be paid prior to issuance of building permits.
 - n. The applicant shall post a cash deposit for the public improvements on one-half width of Main Street from Pacific Coast Highway to Heidi's adjacent to the subject property in an amount to be determined by Public Works.
 - o. The parking facility identified in Condition No. 5 shall be approved by the City of Huntington Beach.
3. The following Fire Department requirements shall be complied with:
- a. Fire lane shall be minimum 27 feet clear width from Walnut to Pacific Coast Highway. Turf block is unacceptable as a fire lane surface.
 - b. Building address numbers shall be installed pursuant to Fire Department standards.

CONDITIONAL USE PERMIT NO. 88-7 WITH SPECIAL PERMITS, COASTAL
DEVELOPMENT PERMIT NO. 88-3 AND TENTATIVE TRACT NO. 13478
Page Eight

- c. Fire flow for entertainment/condominium plan is 4,750 gallons per minute. Water system shall provide minimum fire flows.
 - d. Five fire hydrants are required for this project in locations to be approved by the Fire Department.
 - e. Alleyway from Walnut Avenue, behind existing buildings shall be a minimum 27 feet clear width for Fire Department access.
 - f. All structures in project shall be provided with the following:
 - (1) Automatic fire sprinklers throughout with combination standpipe systems;
 - (2) Fire alarm system with graphic annunciators.
 - g. Elevators throughout project shall be a minimum size of 6 feet-8 inches by 4 feet-3 inches with minimum opening of 42 inches.
 - h. Access for emergency purposes shall be provided to all perimeter stairways from public streets.
4. The following Public Works Department requirements shall be complied with:
- a. A right turn lane shall be constructed at Pacific Coast Highway and Main Street per City and CalTrans design criteria. The appropriate right of way shall be dedicated to accommodate the right turn lane.
 - b. The traffic signal at Pacific Coast Highway and Main Street shall be relocated per City and CalTrans standards.
 - c. Walnut Avenue, Main Street and Second Street shall be constructed per Public Works standards.
 - d. Driveways shall be 27 feet wide minimum and radius type construction.

- e. The parking structure for the condominium units requires two entries/exits unless one entry is determined adequate by a traffic engineer pursuant to Condition No. 2.d.
- f. The proposed 27 foot wide commercial alley is adequate until the property to the west dedicates an additional 5 feet.
- g. Landscaping (including public right of way) shall be per the Downtown Guidelines and maintained by the developer/homeowner's association.
- h. Street lighting shall be installed per the Downtown Guidelines and the City electrician's requirements.
- j. Parking shall be prohibited on Walnut Avenue and Pacific Coast Highway.
- j. All utilities located in the alleys and streets to be abandoned shall be removed per the direction of utility companies' representatives.
- k. A 12 inch minimum sewer main shall be constructed in Main Street and Walnut Avenue and connect to the County's coast truck sewer at the alley between Main and Third Street.
- l. A 12 inch water mains shall be constructed in:
 - (1) Main Street from the existing 12 inch main in the south side of Pacific Coast Highway to Walnut Avenue.
 - (2) Walnut Avenue from Main to Second Street, connecting the existing mains in the north/south alleys.
 - (3) Second Street from Walnut to Pacific Coast Highway.
- m. Any on-site water facilities required to be dedicated to the City shall be located in vehicular travelways. The developer/homeowner's association shall be held responsible for repairing the enhanced pavement, if the water facilities need to be maintained or repaired.
- n. All security gate configurations shall include on-site turn-arounds (no backing into the streets) and shall be approved by the Public Works Department, Fire Department and Community Development Department.

5. The project shall be responsible for providing the balance of required off-street parking spaces in a parking structure to be built at the northwest corner of Walnut and Third Streets. Prior to the issuance of a building permit, an off-site parking plan shall be approved and adopted by the City as identified in these conditions or other adequate contingency plan. Such parking sufficient for this project and off-site requirements shall be available prior to the issuance of a Certificate of Occupancy for the theaters.
6. Provide a centralized mail delivery facility which shall be architecturally compatible with the structures.
7. All dwellings on the subject property shall be constructed in compliance with State Acoustical standards set forth for units that are within the 60 CNEI contour of the property.
8. All guest parking spaces for residential shall be designated as such by marking "Guest Parking" on the surface of each stall.
9. Street furniture and other required improvements shall be provided in public plaza areas according to the Downtown Design Guidelines and dedicated to the City of Huntington Beach.
10. A planned sign program shall be submitted to the Design Review Board for review and approval for all signing. Said program shall be approved by the Department of Community Development prior to the first sign request.
 - a. Advertising of the theater complex, including the marquee, shall not be permitted at the corner of Pacific Coast Highway and Main Street.
11. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
12. Natural gas shall be stubbed in at the locations of cooking facilities, water heaters, and central heating units. This requirement may be waived provided the applicant installs a more energy efficient alternative subject to the review and approval by the Community Development Department.
13. Low-volume heads shall be used on all spigots and water faucets.
14. If lighting is included in the parking lot, high-pressure sodium vapor lamps shall be used for energy savings. All outside lighting shall be directed to prevent "spillage" onto adjacent properties.

CONDITIONAL USE PERMIT NO. 88-7 WITH SPECIAL PERMITS, COASTAL
DEVELOPMENT PERMIT NO. 88-3 AND TENTATIVE TRACT NO. 13478
Page Eleven

15. The location of the night club shall be limited to 3,000 square feet at a location facing Main Street subject to review and approval by the Community Development Director.
16. Conditional Use Permit No. 88-7 and Coastal Development Permit No. 88-3 shall not become effective until the proposed revisions to the Downtown Specific Plan are approved by City Council and in effect.
17. Any modifications to plans shall be subject to additional review and approval by the Planning Commission. Any modifications which result in an increase of project intensity shall be subject to additional public hearings. Modifications to interior layouts or exterior finishes shall be subject to Design Review Board review and approval.

CONDITIONS OF APPROVAL - TENTATIVE TRACT 13478:

1. Prior to final recordation of Tentative Tract 13478 the following shall be completed:
 - a. CC&R's for the subdivision addressing the conditions herein, Article 915 and Condition 2.d of Conditional Use Permit No. 88-7 shall be reviewed and approved by the City Attorney and Department of Community Development in accordance with Article 915.
 - b. Legal documents which will provide for restricting the use of common spaces for the designated purpose, as approved on the final development plan, for the residential project, shall be submitted and approved by the Department of Community Development and the City Attorney.
2. The tentative tract map shall be revised to show:
 - a. Typical cross section for Pacific Coast Highway and the public alley.
 - b. Right of way radii of 25 feet at Pacific Coast Highway and Main and Pacific Coast Highway and Second Street.
 - c. Right of way radii of 30 feet at Walnut and Second Street.
 - d. A 12 foot wide raised median in Walnut Avenue.

- e. The sidewalk in Second Street is 7 foot wide.
 - f. Adjustment in lot lines, if necessary, to be consistent with division between commercial and condominium uses.
- 3. All Pacific Coast Highway improvements shall meet CalTrans criteria.
 - 4. Vehicular access rights to the streets surrounding the tract shall be dedicated to the City except at approved driveway locations.
 - 5. Tentative Tract No. 13478 shall not become effective until the proposed revisions to the Downtown Specific Plan have been approved by City Council and are in effect.

I hereby certify that Conditional Use Permit No. 88-7 with Special Permits, Coastal Development Permit No. 88-3 and Tentative Tract No. 13478 was approved by the Planning Commission of the City of Huntington Beach on April 5, 1988, upon the foregoing findings and conditions. This approval represents conceptual approval only; detailed plans must be submitted for review and the aforementioned conditions completed prior to final approval.

Sincerely,

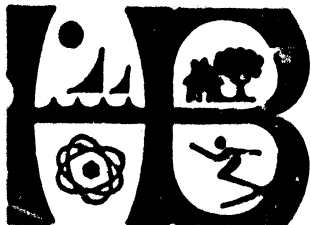
Mike Adams, Secretary
Planning Commission

by:



Scott Hess
Senior Planner

MA:SH:kla
(0393d-1-12)



Huntington Beach Planning Commission

P.O. BOX 190

CALIFORNIA 92648

July 25, 1990

City of Huntington Beach/California Resorts
222 - 5th Street
Huntington Beach, CA 92648

SUBJECT: CONDITIONAL USE PERMIT NO. 90-37/COASTAL DEVELOPMENT
PERMIT NO. 90-21

REQUEST: Modification of Conditional Use Permit No. 88-7 and
Coastal Development Permit No. 88-3 to change the
square footage mix of uses at Pierside Pavilion
(reduced retail square footage and increased restaurant
squarefootage).

LOCATION: 300 Pacific Coast Highway

**DATE OF
APPROVAL:** July 24, 1990

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 90-21:

1. The proposed mixed commercial development conforms with the plans, policies, requirements and standards of the Huntington Beach Coastal Element of the General Plan, including provision of adequate parking for new development in the Coastal Zone, because the valet plan for the Pavilion structure combined with the City structure will accommodate the demand generated.
2. Coastal Development Permit No. 90-21 is consistent with the CZ (Coastal Zone) suffix, the Downtown Specific Plan and other provisions of the Huntington Beach Ordinance Code applicable to the property.
3. At the time of occupancy, the proposed mixed commercial development can be provided with infrastructure in a manner that is consistent with the Huntington Beach Coastal Element and Coastal Land Use Plan of the General Plan.

ATTACHMENT NO. 6.1

4. The proposed mixed commercial development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 90-37:

1. The location and design of the proposed valet parking properly adapts the structures to the proposed mix of uses in a harmonious manner. Through the use of valet parking the additional parking spaces required by the modified mix of uses can be provided.
2. The access to and parking for the mixed use development as proposed does not create an undue traffic problem.
3. The proposed mix of uses is consistent with the General Plan Land Use Designation of Visitor Serving Commercial, and implements the provisions of the Downtown Specific Plan District 3 (Visitor Serving Commercial).

CONDITIONS OF APPROVAL:

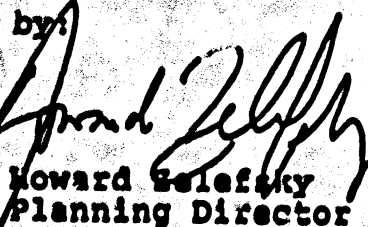
1. A full size (18 inch X 24 inch) parking management plan shall be submitted for review and approve by the Planning Commission. The plan shall detail those areas reserved for attendant parking and self parking during each hour that the structure is open. A written narrative shall accompany the plan, which details the method of transitioning spaces from self parking to attendant parking as the need increases. The narrative shall describe the percentage of attendant versus self parking during each hour, and its location. The narrative shall also outline a plan for validated parking in the structure for patrons of Pierside Pavillion. A minimum of 2 hours validated parking shall be provided to the customers of Pierside Pavillion.
2. Any change in type of use and/or square footage which would increase the number of required parking spaces shall be subject to review and approval by the Planning Commission.
3. All applicable conditions of Conditional Use Permit No. 83-7 and Coastal Development Permit 88-3 shall remain in effect.

I hereby certify that Conditional Use Permit No. 90-37 and Coastal Development Permit No. 90-21 were approved by the Planning Commission of the City of Huntington Beach on July 24, 1990, upon the foregoing findings and conditions. This approval represents conceptual approval only; detailed plans must be submitted for review and the aforementioned conditions completed prior to final approval.

Sincerely,

Mike Adams, Secretary
Planning Commission

by:


Howard Zelefsky
Planning Director

(6634d-1,3)

**2007
HUNTINGTON BEACH
PLANNING COMMISSION
GOALS**

DRAFT

1. Recommend measures to establish an effective green building program for Huntington Beach (Commissioners Horgan and Shier-Burnett, Livengood).
2. Monitor progress of the Edinger/Beach Blvd. Corridor specific plan development (Commissioners Dwyer, Speaker, Horgan).
3. Monitor progress of the Bella Terra Phase II development (Commissioners Dwyer and Farley, Livengood).
4. Monitor progress of the Downtown Specific Plan and Parking Master Plan revisions (Commissioners Scandura, Farley).
5. Monitor progress of the Strip Mall Development study by the Economic Development Department (Commissioners Scandura, Farley).
6. Recommend measures to promote neighborhood compatibility (Commissioners Dwyer and Horgan).
7. Provide recommendations to City Administration on implementing the findings of the Entitlement/Development Processing (a.k.a. Zucker) Report (Commissioners Shier-Burnett and Livengood).
8. Identify and implement improvements to setting meeting agendas and conducting meetings (To be discussed at an upcoming Planning Commission study session).



City of Huntington Beach Planning Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, Director of Planning
BY: Ron Santos, Associate Planner *RS*
DATE: May 22, 2007

SUBJECT: VARIANCE NO. 07-002 (PERKINS RESIDENCE)

APPLICANT: Gary C. Maxwell, 8941 Atlanta Avenue, #365, Huntington Beach, CA 92646

PROPERTY

OWNER: Tom and Sandra Perkins, 20091 Crown Reef Lane, Huntington Beach, CA 92646

LOCATION: 20091 Crown Reef Lane (south of Adams Avenue, east of Newland St.)

STATEMENT OF ISSUE:

- ♦ Variance No. 07-002 request:
 - To permit construction of a 350 sq. ft. addition to a single-family dwelling at a five ft. street side yard setback, in lieu of the code required ten ft. minimum setback.
- ♦ Staff's Recommendation: Deny Variance No. 07-002 based upon the following:
 - Approval of the requested variance would constitute a grant of special privilege.
 - There are no special circumstances applicable to the property which warrant approval of the requested variance.
 - Adherence to the ten ft. setback requirement is necessary to maintain a consistent and compatible land use pattern in the neighborhood and provide for adequate protection from noise impacts associated with traffic on the adjacent street.
 - Denial of the requested variance furthers the General Plan Objectives and Policies.

RECOMMENDATION:

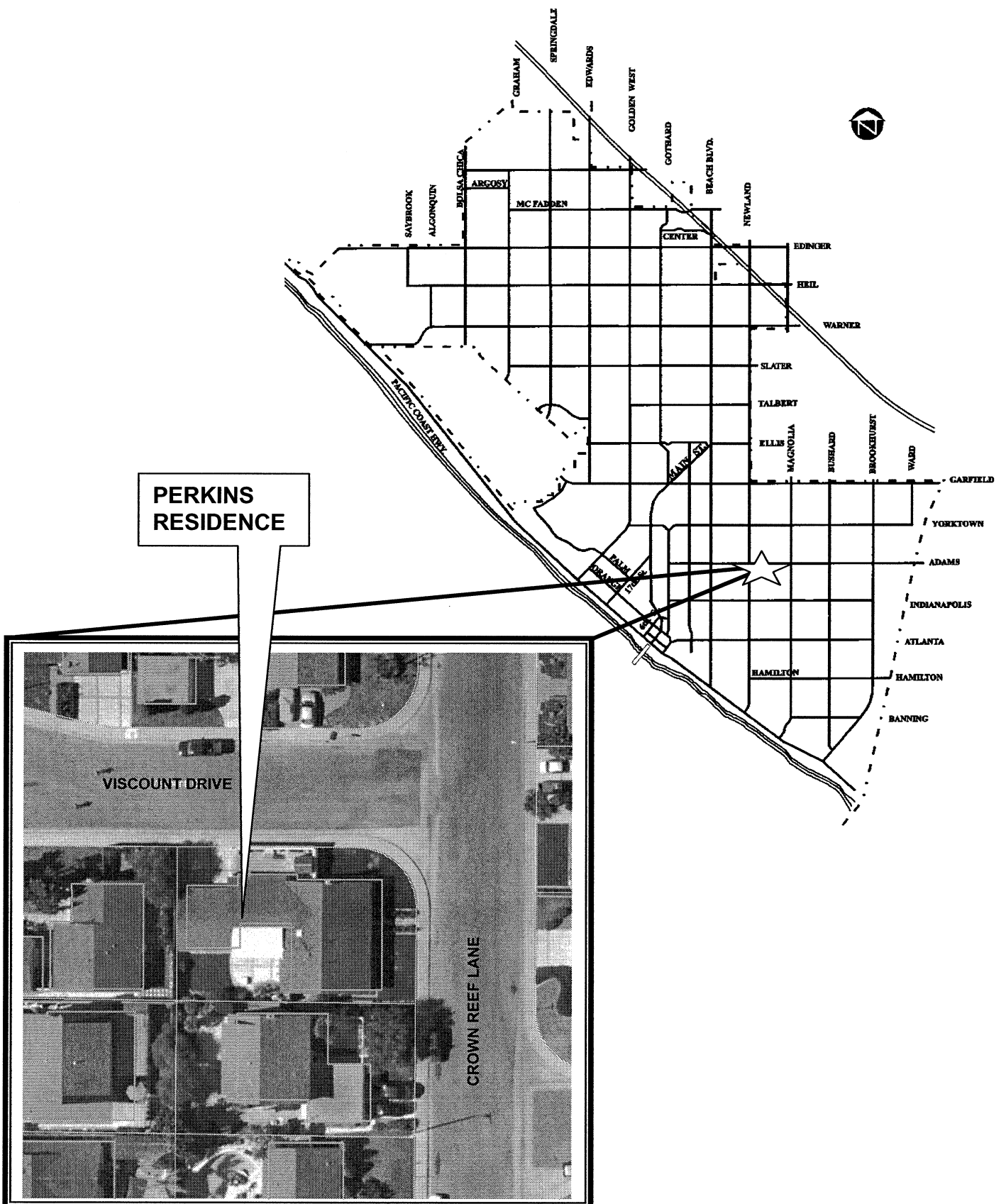
Motion to:

"Deny Variance No. 07-002 with suggested findings for denial (Attachment No. 1)."

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Approve Variance No. 07-002 with findings and conditions of approval."
- B. "Continue Variance No. 07-002 and direct staff accordingly."



VICINITY MAP
VARIANCE NO. 07-002
(PERKINS RESIDENCE – 2091 CROWN REEF LN.)

PROJECT PROPOSAL:

Variance No. 07-002, filed pursuant to Chapter 241 of the Huntington Beach Zoning and Subdivision Ordinance – *Conditional Use Permits and Variances; Temporary Use Permits; Waiver of Development Standards*, represents a request for the following:

To permit construction of a 350 sq. ft. addition to a single-family dwelling at a five ft. street side yard setback, in lieu of the ten ft. minimum setback required pursuant to Section 210.06, *RL, RM, RMH, RH and RMP Districts: Property Development Standards*, of the HBZSO.

The proposed addition is a single-story, 10 ft. by 35 ft. expansion of the home's family room. The existing dwelling consists of 1,720 sq. ft. of habitable area, including three bedrooms, two bathrooms, and a 420 sq. ft. attached garage. A 265 sq. ft. patio cover and 126 sq-ft. covered porch also exist on the property.

The applicant asserts that the configuration of the existing house on the lot serves as justification for granting of the variance and that the variance would not constitute a grant of special privilege since all properties in the City may request a variance (see Attachment No. 3).

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	RL-7 (Residential Low Density – 7 units/acre)	RL (Residential Low Density)	Single-Family Residential
North (across Viscount Dr.), South, East (across Crown Reef Ln.) and West of Subject Property	RL-7	RL	Single-Family Residential

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is RL (Residential Low Density). The proposed project is inconsistent with this designation and the goals and objectives of the City's General Plan as follows:

Land Use Element

Policy LU: Require that all structures be constructed in accordance with the requirements of the City's building and other pertinent codes and regulations.

Denial of the requested variance furthers the General Plan Objectives and Policies by requiring adherence to the applicable provisions of the Zoning & Subdivision Ordinance, which serves to implement the policies of the General Plan.

Zoning Compliance:

The proposed project does not conform to the applicable street-side building setback requirement applicable to corner lots in the RL (Residential Low-Density) Zone. The HBZSO requires a ten ft. building setback from a street side property line, the purposes of which are to provide a consistent land use pattern and adequate protection from noise impacts associated with traffic on the adjacent street. The applicant is requesting to construct an addition at five ft. setback.

Urban Design Guidelines Conformance: Not applicable

Environmental Status:

The proposed project is Categorically Exempt, pursuant to Section 15305, Class 5 of the California Environmental Quality Act, which states that minor setback variances not resulting in the creation of any new parcel are exempt from further environmental review.

Coastal Status: Not applicable

Redevelopment Status: Not applicable

Design Review Board: Not applicable

Other Departments Concerns and Requirements:

The Departments of Building and Safety, Fire and Public Works have reviewed the proposed project and identified applicable code requirements (Attachment No. 5).

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on May 10, 2007 and notices were sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department's Notification Matrix), applicant, and interested parties.

The applicant submitted a petition, signed by 10 neighboring property owners, indicating no objection to the proposed project (Attachment No. 6). As of May 15, 2007, no other communication supporting or opposing the request has been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

Variance: April 10, 2007

MANDATORY PROCESSING DATE(S):

June 9, 2007

ANALYSIS:

The primary issue for the Planning Commission to consider in conjunction with this application is whether the subject property presents unique circumstances which justify approval of the variance request. The Planning Commission must also consider whether or not approval of the variance would constitute a grant of special privilege.

HBZSO Section 241.10(B) – *Required Findings for Variances*, states that the Planning Commission must make the following findings when granting a variance:

1. The granting of a variance will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification.
2. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under identical zone classification.

3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification and is consistent with the General Plan.

If the Planning Commission finds that there is insufficient basis for each of the findings listed above, the application must be denied.

Staff believes that there are no special circumstances applicable to the property which warrant approval of the requested variance. The subject property, which is 6,500 sq. ft. in area and 65 ft. in width, is both larger and wider than the minimum lot area (6,000 sq. ft.) and width (60 ft.) required in the RL zone. Moreover, the lot is regular/rectangular in shape and has no topographical constraints or unique surroundings which serve as a basis for approval of a reduced setback. Absent such special circumstances as required by the HBZSO, approval of the variance would constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity.

Staff also believes that requiring adherence to the ten foot setback requirement is necessary to maintain a consistent and compatible land use pattern in the neighborhood and provide for adequate protection from noise impacts associated with traffic on the adjacent street. Additionally, a review of permit records for other properties in the vicinity indicates that the existing dwelling is not comparably undersized, especially when compared to other single-story dwellings in the neighborhood.

A review of the submitted plans also indicates that other opportunities exist for expanding the house in conformance to HBZSO standards, including at the location of the existing patio cover on the south side of the house and/or on the second floor. Granted, these alternative designs may, as asserted by the applicant, be more costly than the proposed design; but the costs associated with building in compliance with the applicable codes (absent unique circumstances associated with the property) are not, under the provisions of the HBZSO, a basis for the granting of a variance. Accordingly, (i.e., in the absence of any justification for approval as required by the HBZSO), staff recommends denial of the request.

The approval or denial of a variance does not create a precedent for subsequent variance requests. Because each variance is supposed to be based upon special circumstances relating to the site for which it is proposed, the past granting or denial of variances for other properties in the area does not mandate similar action on the part of the hearing body. Notwithstanding, at the request of the Planning Commission, staff reviewed entitlement records for the past five years and found no record of any variance being granted which is comparable to that proposed (i.e., a 50% reduction in the street-side setback of a single-family dwelling in the RL zoning district).

ATTACHMENTS:

1. Suggested Findings for Denial – Variance No. 07-002
2. Site Plan, Floor Plans and Elevations received and dated March 9, 2007
3. Project Narrative received and dated March 9, 2007
4. Applicant's Justification for Variance Request received and dated March 14, 2007
5. Code Requirements Dated April 26, 2007 (for informational purposes only)
6. Petition Supporting Project received and dated March 9, 2007

SH:HF:RS:jc

ATTACHMENT NO. 1

SUGGESTED FINDINGS FOR DENIAL

VARIANCE NO. 07-002

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15305, Class 5 of the CEQA Guidelines, which states that minor setback variances not resulting in the creation of any new parcel are exempt from further environmental review.

SUGGESTED FINDINGS FOR DENIAL VARIANCE NO. 07-002:

1. The granting of Variance No. 07-002 to permit construction of a 350 sq. ft. addition to a single-family dwelling at a five ft. street side yard setback, in lieu of the code required ten ft. minimum setback would constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The subject property exhibits no unique conditions which justify approval of a reduced setback.
2. No special circumstances applicable to the subject property, including the size, shape, topography, location or surroundings, exist which serve to deprive the property owner of privileges enjoyed by other properties in the vicinity and under identical zone classification when the strict application of the zoning ordinance is required. The subject property, which is 6,500 sq. ft. in area and 65 ft. in width, is both larger and wider than the minimum lot area (6,000 sq. ft.) and width (60 ft.) required in the RL zone. Moreover, the lot is regular/rectangular in shape and has no topographical constraints or unique surroundings which serve as a basis for approval of a reduced setback.
3. The granting of the variance is not necessary to preserve the enjoyment of one or more substantial property rights. A review of permit records for other properties in the vicinity indicates that the existing dwelling is not comparably undersized, especially when compared to other single-story dwellings in the neighborhood. Moreover, other opportunities exist for expanding the house in conformance to HBZSO standards.
4. The granting of the variance will be materially detrimental to the public welfare or injurious to property in the same zone classification. Adherence to the ten ft. setback requirement is necessary to maintain a consistent and compatible land use pattern in the neighborhood and provide for adequate protection from noise impacts associated with traffic on the adjacent street.
5. The granting of the variance will adversely affect the General Plan. It is inconsistent with the Land Use Element designation of RL (Residential Low-Density) on the subject property because. Denial of the requested variance furthers the General Plan Objectives and Policies by requiring adherence to the applicable provisions of the Zoning & Subdivision Ordinance, which serves to implement the policies of the General Plan.

VARIANCE FOR THOMAS AND SANDRA PERKINS

20091 CROWN REEF LANE
HUNTINGTON BEACH, CALIFORNIA 92646

INFORMATION

OWNER:
TOM AND SANDRA PERKINS
20091 CROWN REEF LANE
HUNTINGTON BEACH, CA 92646

PROPERTY ADDRESS:
20091 CROWN REEF LANE
HUNTINGTON BEACH, CA 92646

LOT 46
TRACT 5073

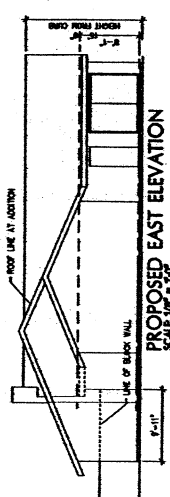
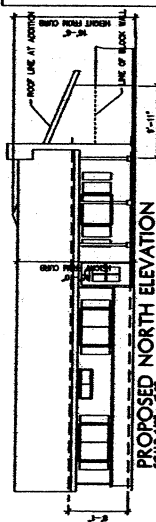
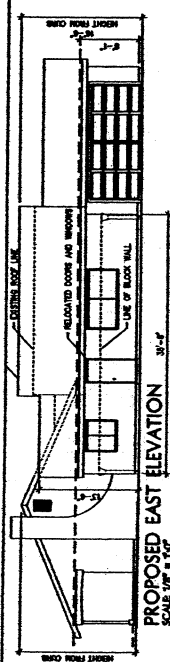
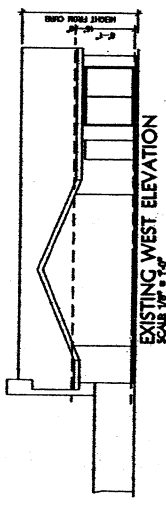
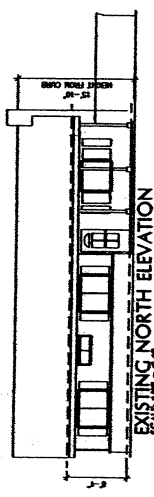
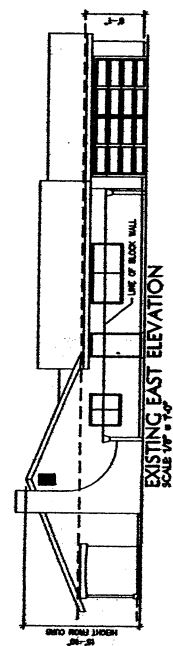
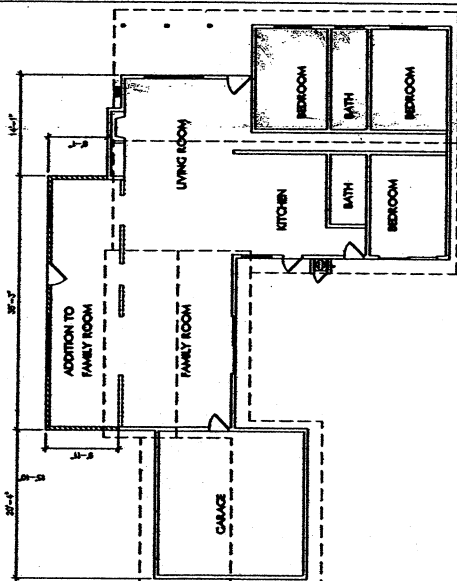
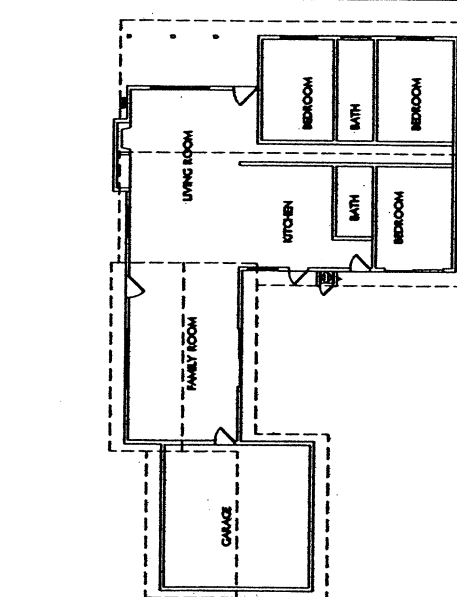
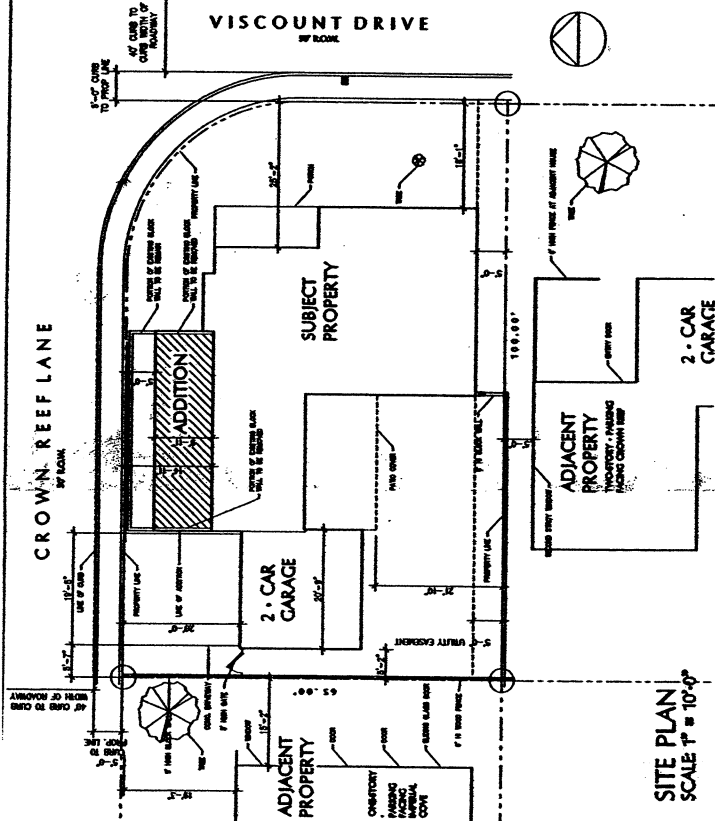
APN: 95-022-01

ZONING: RM-10

LOT SIZE: 6,000 S.F.
LOT COVERAGE MAX: 3,200 S.F.
LOT COVERAGE ACTUAL: 2,140 S.F. (35%)

PROPOSED: 10 HOUSE 1,700 S.F. + 10 GARAGE 400 S.F. + 10 PORCH 400 S.F. + 10 DRIVEWAY 400 S.F. + 10 PATIO 400 S.F. + 10 DECK 400 S.F. + 10 STAIRS 400 S.F. + 10 FENCE 400 S.F. + 10 OTHER 400 S.F.

SETBACKS REQUIRED:
FRONT = 15'-0"
SIDE (MIN) = 5'-0" MIN.
SIDE (STREET) = 15'-0" MIN.
REAR = 15'-0" MIN.
FRONT YARD = 15'-0"
FRONT SIDE = 5'-0" MIN.
SIDE (MIN) = 5'-0" MIN.
SIDE (STREET) = 5'-0" MIN.
REAR = 15'-0" MIN.



ATTACHMENT NO. 2

M/a

maxwell&associates

Architecture and Planning

8941 Atlanta Avenue Suite 365

Huntington Beach, CA 92646

(949) 632-6018 tel (949) 625-7613 fax

gary@maxarc.com

CA Lic # C13785 NV Lic # 1985

March 9, 2007

Written Narrative

Planning Department

City of Huntington Beach

2000 Main Street

Huntington Beach, CA 92648

Dear Planning Department,

Subject: 07002 Perkins / 20091 Crown Reef

Project is a 9'-11" addition to existing family room of a single story, single family residence.

Addition is approximately 350 sq. ft.

Hours of operation- home, occupied 24/7

No employees

Surrounding uses- single family residences on all 4 sides. (on sides they are across street)

Population served- A Huntington Beach Family

Variance requested is for reduction of street sideyard setback of 10'-0" to 5'-0" matching the standard interior sideyard setback common to the neighborhood. Currently the area of the remodel has a 5' high conc. block wall fenced yard area extending to the property line. The addition will still be inside of this fenced yard which shall remain in a reduced form.

City of Huntington Beach

MAR 09 2007

M/a maxwell&associates

Architecture and Planning

8941 Atlanta Avenue Suite 365

Huntington Beach, CA 92646

(949) 632-6018 tel (949) 625-7613 fax

gary@maxarc.com

CA Lic # C13785 NV Lic # 1985

The necessity for the addition is to increase the family room and adjoining dining room to allow for extended family to be able to enjoy family functions. Current house is a modest 1,720 sq. ft. and this addition will increase the home size by 350 sq. ft. resulting in total house size of 2,070 sq. ft. Most specifically, this will increase the width of the family and dining rooms by 9'-11" to a width of 24'-0" +/- allowing for the extended family gatherings. The only other option to add onto the dining room would be to reduce kitchen and the only other option to increase the family room would be to eliminate the window in the kitchen. Both of these options would negate the advantages of the addition since the kitchen is integral to the family gatherings. If this was an inside lot and not on a corner, we would not be asking for this addition. Lot coverage will still be below 40% after this addition.

Gary C. Maxwell

City of Huntington Beach

MAR 09 2007

M/a

maxwell&associates

Architecture and Planning
8941 Atlanta Avenue Suite 365
Huntington Beach, CA 92646
(949) 632-6018 tel (949) 625-7613 fax
gary@maxarc.com
CA Lic # C13785 NV Lic # 1985

March 9, 2007

Support for Findings

Planning Department

City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Dear Planning Department,
Subject: 07002 Perkins / 20091 Crown Reef

The subject property is a corner lot. This is not unique in Huntington Beach or in this particular tract. It is unique in that it makes it different from an interior lot. A corner lot is subject to adjacency to a public street on 2 sides of the property whereas an interior lot is subject to a public street on only 1 side. The configuration of the house built on this type of lot is very important regarding this adjacency. The subject property is materially different from the adjacent corner lot property in that the long side of the rectangular house is adjacent to the side street whereas on the adjacent property the house has a short end of a square house adjacent to this side street and thus has a lessened adjacency to the street and its impact. This is further complicated by the location of the garage off the same side street whereas the adjacent lot has the garage off the frontage street. The adjacent house is oriented toward the frontage street with its garage and entry and has a 6' fence to screen the entry from the street. Thus there is a fence and garage buffer between the house and the frontage street and there is a short end with no windows facing the side street. The subject property has the garage and the area of the remodel (with its windows required by code for light and ventilation oriented to the side street and the front door oriented to the frontage street without the benefit of screening. The rectangular shape of the house with a garage abutting the end limits the opportunity to locate these windows to the interior yard side and the street side. As such, the subject property has impacts of both side streets without the benefit of the screening.

RECEIVED MAR 14 2007

M/a

maxwell&associates

Architecture and Planning

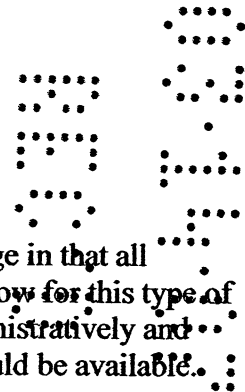
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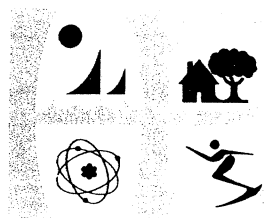
CA Lic # C13785 NV Lic # 1985



The granting of the variance will not constitute a grant a special privilege in that all properties within Huntington Beach can petition as we are petitioning now for this type of variance. In fact, a lesser reduction of the variance can be granted administratively and this opportunity cannot assist us due to the minimal added area that would be available.

This variance is necessary for the preservation and enjoyment of a property right in that adjacent properties are screened from the impact of the street by the orientation and design of the house. The subject house has a family room and a dining room fully impacted by the side street with required windows facing the side street. This is not the case with the adjacent house to the west as described above and the interior lot, not having an adjacent side street, is not impacted. As such, light and ventilation for the subject property comes at the cost of impacts from the side street. The configuration of the subject home does not allow us to mitigate or increase the size of the rooms to the interior side of the house because the increase in size of the dining and family rooms would push the wall on the interior side past the only outside wall exposure of the kitchen and we would no longer be able to provide natural light and ventilation for this kitchen and would have to add the kitchen remodel to the project with it's substantially higher per square foot costs, therefore pushing the cost of the remodel beyond the means of the client. The right to peace and quiet and light and ventilation would be preserved by allowing the variance.

The granting of the variance for the subject property will not be materially detrimental to the public welfare. The subject property currently has a property line block wall to cut the traffic noise down impacting the existing family room. The only windows on that side of the house are in the areas where the extension is proposed. The addition will allow upgrading of the windows, walls and insulation on that side of the family room to help cut down on the traffic noise. The area of the extension of the house is in the middle of that side of the house and thus will reduce the visual "abruptness" of the addition and not impact the visibility around the street corner. The area of the extension currently has a block wall extending to the property line and the impact will be behind that block wall thus not altering greatly the current situation.



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

Phone 536-5271
Fax 374-1540

April 26, 2007

Gary C. Maxwell
8941 Atlanta Avenue, #365
Huntington Beach, CA 92646

**SUBJECT: VARIANCE NO. 07-002 – DEVELOPMENT AND USE REQUIREMENTS
20091 CROWN REEF LANE, HUNTINGTON BEACH**

Dear Mr. Maxwell:

In order to assist you with your development proposal, staff has reviewed the project and identified applicable City policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This preliminary list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Zoning Administrator. Please note that if the design of your project changes or if site conditions change, the list may also change based upon modifications to your project and the applicable City policies, standard plans, and development and use requirements.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at (714) 536-5561 and/or the respective source department (abbreviation in parenthesis at end of each condition – contact person below).

Sincerely,

RON SANTOS
Associate Planner

Enclosure

cc: Gerald Caraig, Building and Safety Department – 714-374-1575
Lee Caldwell, Fire Department – 714-536-5564
Steve Bogart, Public Works – 714-536-5580
Herb Fauland, Principal Planner
Jason Kelley, Planning Department

Tom and Sandra Perkins (Property Owner)
20091 Crown Reef Ln.
Huntington Beach, CA 92646

ATTACHMENT NO. 5.1



CITY OF HUNTINGTON BEACH PLANNING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: April 26, 2007
PROJECT NAME: PERKINS RESIDENCE
ENTITLEMENTS: VARIANCE NO. 07-002
PROJECT LOCATION: 20091 CROWN REEF LN., HUNTINGTON BEACH
PROJECT PLANNER: RON SANTOS, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: (714) 536-5561/ rsantos@surfcity-hb.org
PROJECT DESCRIPTION: TO PERMIT CONSTRUCTION OF A 350 SQ. FT. ADDITION TO A SINGLE-FAMILY RESIDENCE WITH A 5'-0" STREET SIDE SETBACK, IN LIEU OF THE CODE REQUIRED 10'-0" MINIMUM SETBACK.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated March 9, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Project Planner.

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design.
2. Prior to submittal for building permits, Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. Prior to issuance of building permits, all new commercial and industrial development and all new residential development not covered by Chapter 254 of the Huntington Beach Zoning and Subdivision Ordinance, except for mobile home parks, shall pay a park fee, pursuant to the provisions of HBZSO Section 230.20 – *Payment of Park Fee*. The fees shall be paid and calculated according to a schedule adopted by City Council resolution (*City of Huntington Beach Planning Department Fee Schedule*).
4. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed

and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.

5. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
6. Variance No. 07-002 shall not become effective until the ten calendar day appeal period from the Planning Commission approval of the entitlement(s) has elapsed.
7. Variance No. 07-002 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.
8. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.
9. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays.
10. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's action.



CITY OF HUNTINGTON BEACH

INTER-DEPARTMENT COMMUNICATION

From: Edward S. Lee
To: Ron Santos
Extension: 374-1538
Date: 03/21/2007
Project Location: 20091 Crown Reef Lane
Comments for: Addition (35'-3" x 9'-11") to 1-story SFD
Petition: Var. # 2007-002
File No.: 20070056

The following are comments to the file (petition) identified above. This list is not a plan check correction list. General information is provided to help facilitate the development by giving you up front information on building code issues, City policies, and other codes or laws as they apply to your project. Please review the comments below before you submit for plan check. Allow 20 working days for first corrections.

If you incorporated the information below, you must next submit for plan check of building code requirements. You may obtain all required forms and information for plan check review and permit applications on the 3rd floor of City Hall.

The approval of plans and specifications does not permit the violation of any section of the Building Code, or other local ordinance or state law.

Please include the following issues in the design of your project to reduce plan check corrections and improve turn around time.

Note to Planner: Please remind applicant to attach a copy of this list to the Plan Check Submittal Documents to help expedite plan check response and reduce corrections.

Comments:

1. Contact Fire Department for possible Methane Barrier requirements.
2. Plan preparer must sign the plans.
3. All new areas must meet the energy standards of the State of California Building Code 2001 edition. Energy forms must be provided and reproduced on the plans. See California Building Code - 2001© section 310.11 for areas requiring heating.
4. Lighting shall comply with the 2005 Residential Lighting Requirements.

5. Provide building permit application and completed drawing(s) for architectural and structural information and required documents for plan review. All un-permitted work must conform to the new code adopted by the City of Huntington Beach, if applicable.



HUNTINGTON BEACH PUBLIC WORKS DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: APRIL 3, 2007
PROJECT NAME: PERKINS RESIDENCE
ENTITLEMENTS: VARIANCE NO. 07-002
PLANNING APPLICATION NO. 2007-0056
DATE OF PLANS: MARCH 9, 2007
PROJECT LOCATION: 20091 CROWN REEF LN., HUNTINGTON BEACH
PLANNER RON SANTOS, ASSOCIATE PLANNER
PLAN REVIEWER: Steve Bogart, Associate Civil Engineer *SB*
TELEPHONE/E-MAIL: 714-374-1692 / SBogart@surfcity-hb.org
PROJECT DESCRIPTION: TO PERMIT CONSTRUCTION OF A 350 SQ. FT. ADDITION TO A SINGLE-FAMILY RESIDENCE WITH A 5'-0" STREET SIDE SETBACK, IN LIEU OF THE CODE REQUIRED 10'-0" MINIMUM SETBACK.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL INSPECTION OR OCCUPANCY:

1. Street trees shall be provided per the City's Zoning and Subdivision Ordinance, Chapter 232.
2. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)
3. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the attached Public Works Fee Schedule adopted by the City Council Resolution 2006-47. (ZSO 240.06/ZSO 250.16)

City of Huntington Beach

APR - 4 2007

ATTACHMENT NO. 5.16

CITY OF HUNTINGTON BEACH

Public Works Fee Schedule

HBCC Resolutions # 2005-74 (miscellaneous fees) and #2005-75 (development related fees)

Miscellaneous Effective 11/19/05; rev reso #2006-047 effective 8-7-06			
Development Related effective 1/20/06; rev reso # 2006-47 effective 10/6/06			
Fee		Fee Description	Revenue Account
DEVELOPMENT RELATED FEES			
Bond reduction (partially completed projects)	\$1,089	Developer request to reduce bond amounts due to progress made in improvements.	10000100.47450
Cash bond processing	\$208	Inspection and preparation of list & calculate deposit amount for early occupancy. 150% of cost of incomplete improvements + processing fee	10000100.47450
Consultation/Meeting Fee, per person, per hour	\$114 minimum	Project planning consultation to determine conditions and requirements	10000100.47115
Construction Water	\$16 per unit/minimum 6 months \$96	Non-metered water used during construction/per unit	50600506.47755
Drainage Fees	\$12,600 per acre	Enhancing drainage system capability.	21100211.47115
Dock Construction Plan Review/Inspection	\$466	Review, plan check, issue permit & inspect docks	10000100.42170
Encroachment Permit	\$103 flat fee + public improvement inspection fee of 8% construction costs	Review plans, coordinate permit approval with other divisions. Check City and State license & current insurance. Separate fee 8% of cost of improvements. Loose materials stored on public right-of-way is obstruction permit.	10000100.42155
Encroachment Permit (Utility Company) Effective 10/6/2006	\$140	Plan check utility plans and review other plans for compatibility.	10000100.42155
Encroachment Permit Expired	\$67	Review construction progress, check with the inspector; extend or reissue encroachment permit.	10000100.42155
Encroachment Permit Violation	\$160	Charge for working in R/O/W without permit	10000100.42155
Excessive Plan Check > 3 reviews (per sheet)	\$345 sheet	Non-compliance with staff direction or special requests that require excessive staff time.	10000100.47160
Final Parcel Map Check	\$2,041	Review final parcel map to determine compliance with code requirements.	10000100.47160
Final Tract Map Check	\$2,088 or 100/lot, whichever is greater	Review final tract map to determine compliance with code requirements.	10000100.47175
Fire Hydrant Flow Analysis (1st run)	\$521	Run hydrant flow test on hydraulic model	50600506.47120
Fire Hydrant Flow Analysis (each additional run)	\$115		50600506.47120
Grading Plan Check & Inspection		Review of proposed grading plans and inspection to ensure compliance with appropriate codes, standards, and approved conditions.	10000100.47130
(0-300 cubic yards)	\$3,250		
(301-5,000 cubic yards)	\$4,066		
(5,001-10,000 cubic yards)	\$6,572		
(10,001-200,000 cubic yards)	\$8,178		
(Over 200,000 cubic yards)	\$8,178 plus \$611 for each additional 10,000 cubic yards		
For all: (Hardscape Plan Check)	2% of onsite improvement	Plan check of hardscape improvements (Percentage of cost of improvements in addition to fee for grading plan check/inspection).	10000100.47130
For all: (Hardscape Inspection)	3% of onsite improvement	Inspection of hardscape improvements (Percentage of cost of improvements in addition to fee for grading plan check/inspection).	10000100.47130

ATTACHMENT NO. 5.7

CITY OF HUNTINGTON BEACH

Public Works Fee Schedule

HBCC Resolutions # 2005-74 (miscellaneous fees) and #2005-75 (development related fees)

Miscellaneous Effective 11/19/05; rev reso #2006-047 effective 8-7-06

Development Related effective 1/20/06; rev reso # 2006-47 effective 10/6/06

MISCELLANEOUS FEES

ALL PW Divisions

Damage to City Facilities	FBR + materials with 2 hour minimum	Property damage	Fund00Fund.48385
ENGINEERING			
Aerial Photos	\$74	Retrieve aerial photo from records room and send out to blueprint company.	21000210.48270
Consultation/Meeting Fee, per person, per hour	\$125 minimum		10000100.47115
Customer Service Response & account research	\$75	Charge for gathering historical account data upon request.	10000100.47445
Plans and Specifications	\$ 47.00 plus cost of reproduction.	Project or department plans and specs	Fund00Fund.48270
Parking permit replacement fee	\$4	Replacement of lost parking permit.	10000100.42185
Research Requests	\$75	Review of soils reports, geotechnical reports, traffic impact analysis, shared parking analysis, or water quality management plans. Also time to pull and replace plans and records for customer research.	10000100.47445
Residential Parking Permit Fee	\$22 for first/+ \$6 for 2-4 (max 4) includes 2 free guest permits	Issuing annual renewal permits for resident requested parking areas	10000100.42185
Street Vacation Request		Prepare documents for abandoning all or a portion of a public right-of-way.	10000100.47160
Full vacation	\$3,702		
Summary vacation	\$861		
Storage Bin Permit	\$195 for five days \$15.00 each day thereafter	Review plans and coordinate permit approval with traffic and inspection when needed. Large storage bins in public right-of-way	10000100.42180
Residential Temporary Parking Permit	\$1.35 per sign	Issuance of temporary permit for a special event.	10000100.42185
MAINTENANCE			
Block wall Maintenance	FBR+ materials with 2 hrs	Repairing block walls damaged in accidents	10000100.48385
Emergency Street Cleaning	FBR+ materials with 2 hrs	Emergency street cleaning within public right-of-way.	10000100.47910
Hazardous Material Clean-Up	FBR+ materials with 2 hrs	Emergency response to spilled loads of hazardous materials.	10000100.47910
Illegal Refuse Bin Impound	\$209 flat fee	Impound & storage of bins violating our franchise agreement after 24-hour notice has been given.	50400504.47705
Illegal Storage Bin	\$168		10000100.42155
Recycling Bin Permits	\$50 / 6 months	Charge for having recycling bins within City limits. Includes reporting requirements	50400504.47706
Spilled Load Clean-Up-Non-Hazardous	Hourly min 2 hrs plus costs	Emergency response to spilled loads of non hazardous materials (2 hour minimum).	10000100.48385
Tree/Shrub Overhang Abatement	FBR with 2 hr minimum		10000100.47415
Weed Abatement	\$190	Provide weed abatement to vacant properties.	10000100.47415

ATTACHMENT NO. 5.8

3 of 6

CITY OF HUNTINGTON BEACH

Public Works Fee Schedule

HBCC Resolutions # 2005-74 (miscellaneous fees) and #2005-75 (development related fees)

Miscellaneous Effective 11/19/05; rev reso #2006-047 effective 8-7-06

Development Related effective 1/20/06; rev reso # 2006-47 effective 10/6/06

CITY SEWER CONNECTION FEES			Effective October 1,
Single Family Dwelling Unit			\$1,749
Multiple Family Dwelling Unit			\$1431 per unit
Non-Residential (based on water meter size relationship to Equivalent Dwelling Unit, EDU)			
Meter Size & Type	EDUs	Charge	
3/4"	1	\$1,988	
1"	2	\$3,977	
1 1/2"	3	\$5,965	
2"	5	\$9,942	
3"	11	\$21,872	
4" Compound	17	\$33,801	
4" Domestic & Turbine	33	\$65,615	
6" Compound	33	\$65,615	
6" Domestic & Turbine	67	\$133,220	
8" Domestic	117	\$232,636	
10" Domestic	183	\$361,786	

WATER CAPITAL FACILITIES CHARGE		
<u>Residential Development</u>		
Meter size & type	EDUs	Charge
3/4"	1	2,400
1"	2	4,800
1 1/2"	3	7,200
2"	5	12,000
3"	11	26,400
4" Compound	17	40,800
4" Domestic & Fire Service	33	79,200
6" Compound	33	79,200
6" FM	67	160,800
8" FM	117	280,800
10" FM	183	439,200
<u>Non-residential Development</u>		
Parcels less than 10,000 sq ft	\$60 per usable unit	
Parcels 10,000 sq ft or greater	\$300 per acre or fraction thereof or \$60 per usable unit whichever is greater	

ATTACHMENT NO. 5.9

January 18, 2007

We, Tom & Sandra Perkins, reside at 20091 Crown Reef Lane, Huntington Beach, CA. We would like to remodel our house and extend our family room using the current R.V. storage area on the north side of the house facing Viscount. We would keep the single story addition five feet inside the existing fence and it would blend into the current house. The existing roof would be replaced to give the appearance the house was built this way and not look like an addition.

There is a home in our neighborhood, which has an addition similar to what we are proposing.

If you do not object to our proposal please sign this letter and write your address next to your signature.

Thank you for your help.

Tom & Sandra Perkins

Angela M. Baggett 8641 Viscount H.B.
John + Pamela Bozza
8681 VISCOUNT DR. HB CA 92646

Richard & Gloria Paul
8651 Viscount Dr. HB CA. 92646

William D. Bennett
20092 CROWN REEF LANE
H.B. 92646

Randall M. Duffin
8701 Page Cir
H.B. 92646

City of Huntington Beach

MAR 09 2007

Pg 1 of 2

ATTACHMENT NO. 6.1

January 18, 2007

We, Tom & Sandra Perkins, reside at 20091 Crown Reef Lane, Huntington Beach, CA. We would like to remodel our house and extend our family room using the current R.V. storage area on the north side of the house facing Viscount. We would keep the single story addition five feet inside the existing fence and it would blend into the current house. The existing roof would be replaced to give the appearance the house was built this way and not look like an addition.

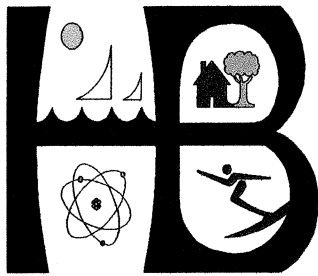
There is a home in our neighborhood, which has an addition similar to what we are proposing.

If you do not object to our proposal please sign this letter and write your address next to your signature.

Thank you for your help.

Tom & Sandra Perkins

Elaine A Craft 8631 Viscount Dr.
Harold R Pollack 20081 Imperial Cove
[Signature] 8671 Viscount Dr.
Mark Hani 20082 Crown Reef Lane
Bob Rulky 20092 Imperial Cove



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, APRIL 10, 2007

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:45 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

ROLL CALL: *P* *P* *A* *P* *P* *P* *P*
Shier-Burnett, Speaker, Livengood, Scandura, Horgan, Dwyer, Farley
(Commissioner Livengood excused absent)

AGENDA APPROVAL

A MOTION WAS MADE BY HORGAN, SECONDED BY DWYER, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF APRIL 10, 2007, BY THE FOLLOWING VOTE:

AYES: Shier-Burnett, Speaker, Dwyer, Scandura, Horgan, Farley
NOES: None
ABSENT: Livengood
ABSTAIN: None

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS):

A-1. MITIGATED NEGATIVE DECLARATION NO. 05-05/COASTAL DEVELOPMENT PERMIT NO. 05-07 (APPEAL – NEWLAND STREET WIDENING) – Jane James

Jane James, Senior Planner, gave an overview of the proposed project and referred to the late communication provided. This item was appealed to the Planning Commission by Commissioner Horgan.

Commissioner Shier-Burnett asked the reason for the wetlands determination. Staff replied that all three parameters of hydric soils, vegetation and hydrology for wetlands determination were met.

Commissioner Horgan stated her concerns regarding the wetlands restoration and asked for them to be addressed at the April 24, 2007, Planning Commission meeting.

Discussion ensued between the Commissioners and staff regarding funding, notification, and right-of-way.

Commissioner Speaker asked if the Coastal Commission was notified of the Negative Declaration. Staff confirmed the Coastal Commission was notified and that no comments were received in response to the notification.

A-2. ENTITLEMENT PLAN AMENDMENT NO. 06-07 (LOWE'S RETAIL PAD SITE MODIFICATION) – Tess Nguyen

Tess Nguyen, Associate Planner, gave an overview of the proposed project and stated that the initial approval was for a 8,500 sq. ft. restaurant and the proposed change includes retail uses. The new uses will meet all the development standards.

Horgan voiced concern with the traffic impact report. Staff confirmed that the traffic count was incorporated into the Environmental Impact Report (EIR) of the Lowes project and the change of use will not be an issue.

Scandura questioned the need for a separate environmental analysis. He requested information on suggested noise conditions for the proposed tire shop and a parking comparison between the restaurant and retail uses.

A-3. TEMPORARY USE PERMIT NO. 07-01 (APPEAL – HUNTINGTON SURF & SPORT OUTDOOR SALES) – Ron Santos

Ron Santos, Associate Planner, gave an overview of the request stating it had been appealed by Commissioner Shier-Burnett. Staff noted a correction to the square footage to 297 sq. ft. in the Staff Report. Staff stated that there were no speakers at the Zoning Administrator's public hearing and that one letter in opposition to the request was received.

Shier-Burnett requested a copy of the letter. She explained her concern was not specifically with Huntington Surf & Sport, but how the request fits the vision of Main Street for the future. She proposed Jack's Surf Shop and Huntington Surf & Sport permits expire concurrently.

Discussion ensued between staff and the Commissioners in relation to revocation, duration of the TUP; waiving of fees; and the success of Main Street, Tuesday's "Surf City Nights".

Scandura requested a copy of Jack's Temporary Use Permit and a larger map of the Main Street outdoor sales area for the next meeting.

B. STUDY SESSION ITEMS- NONE

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS):

Herb Fauland, Acting Planning Manager, reviewed the agenda items for the 7:00 p.m. portion of the meeting.

D. PLANNING COMMISSION COMMITTEE REPORTS:

Commissioner Farley reported he attended the Environmental Board meeting on April 5, 2007. They discussed the Urban Runoff Master Plan, solar energy and green building.

Commissioner Horgan reported that the Green Building Subcommittee met and drafted a plan regarding green building policies for the City of Huntington Beach. She also mentioned that the committee will meet with staff on Wednesday, April 12, 2007. Horgan also asked if the Commissioners received the email inviting them to the Orange County Division of the League of California Cities meeting on Thursday in Tustin.

Commissioner Shier-Burnett recommended that Commissioners attend the upcoming Orange County Water District tour.

E. PUBLIC COMMENTS (Regarding Study Session Portion of Meeting) - NONE

F. PLANNING COMMISSION COMMENTS:

Chair Scandura commended Scott Hess, Director of Planning, on his recent appointment.

Scandura requested feedback on the public hearing process, and suggested having a future Study Session on the topic or at the upcoming workshop.

6:30 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Horgan

ROLL CALL: *P* *P* *A* *P* *P* *P*
Shier-Burnett, Speaker, Livengood, Scandura, Horgan, Dwyer, Farley
(Commissioner Livengood excused absent)

AGENDA APPROVAL

A MOTION WAS MADE BY HORGAN, SECONDED BY SPEAKER, TO APPROVE THE PLANNING COMMISSION AGENDA OF APRIL 10, 2007, BY THE FOLLOWING VOTE:

AYES: Shier-Burnett, Speaker, Scandura, Horgan, Dwyer, Farley
NOES: None
ABSENT: Livengood
ABSTAIN: None

MOTION APPROVED

A. ORAL COMMUNICATIONS - NONE

B. PUBLIC HEARING ITEMS:

- B-1. ZONING TEXT AMENDMENT NO. 06-08 (AMENDING CHAPTER 230.96 WIRELESS COMMUNICATION FACILITIES).** **Applicant:** City of Huntington Beach **Request:** To amend Chapter 230, Section 230.96 (Wireless Communication Facilities) of the Huntington Beach Zoning and Subdivision Ordinance to allow the City to exercise reasonable control over the time, place and manner by which telephone corporations use the public right-of-way to install and operate their facilities. The proposed ordinance requires that all future wireless communication facilities obtain approval of a Wireless Permit by the Director prior to installation regardless of location. **Location:** Citywide. **Project Planner:** Rosemary Medel

STAFF RECOMMENDATION: Motion to: "Approve Zoning Text Amendment No. 06-08 with findings for approval and forward Draft Ordinance, including the legislative draft to the City Council for adoption."

The Commission made the following disclosures:

- Commissioner Shier-Burnett spoke with staff.
- Commissioner Speaker attended the Study Session
- Commissioner Horgan – None.
- Commissioner Dwyer – None.
- Commissioner Farley attended the study session.
- Chair Scandura spoke with staff.

Rosemary Medel, Associate Planner, gave a PowerPoint and reviewed the amendments to the Zoning Text Amendment.

THE PUBLIC HEARING WAS OPENED

WITH NO ONE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.

Shier-Burnett requested clarification of the wireless application process. Leonie Mulvihill, Senior Deputy City Attorney stated that the proposed permit language could be modified to further clarify the wireless permit application process.

Commissioner Farley asked about a possible bond requirement from wireless communications companies should they need to be removed or go out of business.

Mulvihill stated that staff is working on the bonding requirement for the public right-of-way and possible changes to the municipal code.

Discussion ensued regarding language changes and approval methods in relation to the abandonment of the wireless communication facility.

A MOTION WAS MADE BY HORGAN, SECONDED BY FARLEY TO APPROVE ZONING TEXT AMENDMENT NO. 06-08 WITH FINDINGS AND MODIFIED CONDITIONS FOR APPROVAL, BY THE FOLLOWING VOTE:

AYES:	Shier-Burnett, Scandura, Horgan, Dwyer, Farley, Speaker
NOES:	None
ABSENT:	Livengood
ABSTAIN:	None

MOTION APPROVED

FINDINGS FOR APPROVAL

ZONING TEXT AMENDMENT NO. 06-08

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act. The

project is exempt because it involves minor amendments to Chapter 230 (Site Standards), Section 230.96 (Wireless Communication Facilities) to facilitate wireless communication facilities citywide and as they pertain to installation in the public right-of-way.

FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 06-08:

1. Zoning Text Amendment No. 06-08 amends Chapter 230 (Site Standards), Section 230.96 (Wireless Communication Facilities) to encourage and facilitate wireless facilities throughout the city while preventing visual clutter by locating where they are invisible to pedestrians, such as underground or co-located with other facilities when possible in a manner consistent with the goals and policies of the General Plan.
2. In the case of the general land use provision, the change proposed is compatible with the uses authorized in, and the standards prescribed for in the zoning district for which it is proposed because the amendment to Chapter 230, Section 230.96 implements a Wireless Permit process where the applicant must demonstrate that the proposed installation will be compatible with the surrounding environment, will not adversely impact the public right-of-way, will be located in the least obtrusive site, is necessary to continue wireless coverage in the area, and that co-location is not feasible.
3. A community need is demonstrated for the proposed Zoning Text Amendment No. 06-08 because the City Council approved a 45-day moratorium in August 2006, extended the moratorium by six months in September 2006, and finally approved a one year extension in March 2007, to allow that City Attorney's Office time to draft an amendment to the Huntington Beach Zoning and Subdivision Ordinance that reflects City Council directive and is current with State and Federal law.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice because the amendment to Chapter 230, Section 230.96 will encourage and facilitate Wireless Communication Facilities where they are invisible to pedestrians, and co-located with other facilities or placed underground when possible through the Wireless Permit process.

C. CONSENT CALENDAR - NONE

D. NON-PUBLIC HEARING ITEMS - NONE

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING

Herb Fauland, Acting Planning Manager - reported on the items from the previous City Council meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING

Herb Fauland, Acting Planning Manager - reported on the items scheduled for the next City Council meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING

Herb Fauland, Acting Planning Director - reported on the items scheduled for the next Planning Commission meeting.

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

Commissioner Shier-Burnett - Urged attendance at the downtown Surf City event on Tuesday nights. She congratulated Scott Hess on his appointment to Director of Planning, and thanked Administrative Assistant, Cathy Salcedo, for her stellar service to the Planning Commission.

Commissioner Dwyer – Offered his congratulations to Scott and thanked Cathy.

Commissioner Farley – Congratulated Scott and thanked Cathy.

Commissioner Horgan – Reiterated the necessity for a study session regarding the public hearing process. She also congratulated Scott and thanked Cathy.

Commissioner Speaker – Congratulated Scott and thanked Cathy.

Chairperson Scandura – Congratulated Scott Hess and thanked Cathy and offered his best wishes.

Herb Fauland, Acting Planning Manager, on behalf of the Planning Director and staff, bid a fond farewell to Cathy Salcedo, Planning Commission Secretary and thanked her for her excellent work and dedication.

ADJOURNMENT:

Adjourned at 7:35 p.m. to the next regularly scheduled meeting of April 24, 2007.

APPROVED BY:

Scott Hess, Secretary

John Scandura, Chair